

THE CIVIL ^{Syn. 7. 666}
WARRES

W. R. m. OF *R. W. m.*
GREAT BRITAIN

AND

I R E L A N D.

Containing an Exact

H I S T O R Y

OF THEIR

OCCASION, ORIGINALL

Progress, and Happy End.

By an Impartial Pen.

GLASGOW,

Printed by ROBERT SANDERS, Towns-Printer, and are to be Sold
at his Shop, ANNO DOM. 1664.

CUM PRIVILEGIO.

61-1009.10
~~90...318~~



TO THE MOST NOBLE
C H A R L E S

DUKE of *RICHMOND* and *LENNOX*,
EARLE of *MARCH* and *LITCHFIELD*, LORD

Darncley, *D'Aubigny*, *Tarbolton*, *Cruixton*, and *Methuen*;

BARON of *Leighton*, *Bromeswold*, *Settering-*
ton, and *Newbury*, &c.

LORD

HIGH-ADMIRAL and CHAMBERLAIN
OF

SCOTLAND, &c.

May it please your Grace,



Stories in all Ages have been thought worthy the Protection of the most Noble Personages; nor have Kings disdained to Patronize the Records of past Actions, done either in their own or Foreign Kingdoms. We find that most of our Chronicles written in England, have been Dedicated to our Monarchs or Princes; and sometimes by them thought worthy their view, as things whereby the Actions of their Predecessors have been transmitted to posterity, the Fame of Noble Persons kept more entirely alive, then either by Monuments of Brasse or Marble; and the Wicked eternally branded with deserved infamy. This History, my Lord, (of which your Protection is humbly craved) is the compleat Story of our late Civil Wars, the Tragedy of our miserie; which great wishing they had never been, (as the Parliament were pleased to express in their late Letter to our Sovereign Lord the King) we might in some sense wish they might be forgotten: but because Posterity is alwayes most Curious of such Actions, where their Predecessor have been most involved in War and Trouble; because such examples of the Ruine that follow

The Epistle Dedicatory.

ed, may deterre men from attempting such future Evils; because the Memories of such Rebellious Regicides, as here we finde, may be continually odious in all Generations: And because the Renown and everlasting Fame of those (and particularly of those of your thicke Illustrious Family) who lost their Lives in their Kings and Countreys Service, might be eternally sounded with Praises in the mouths of all good Men, these Transactions may be likewise thought fit to be transmitted to future times. And indeed, my Lord, next to Majesty it self, I knew not a Person more concerned in the late Evils then Your GRACE; for in this deplorable Tragedy you will find your renowned Father, and two of your no less worthy Uncles, to have willingly and magnanimously sacrificed their Lives in the Service of their King, in the Field of War and Bed of Honour; and your other Uncle and Antepredecessor, that famous Duke of Richmond and Lennox, &c. transported out of the World by a Pious and Loyal Grief for his Sovereigns Sufferings: Nor has Your Grace, the only Person now left alive to be Inheritour to that Family, been backward to demonstrate (beyond your Age) the readinesse of your Will to serve your Prince (as if Loyalty were a thing inherent to your Blood) so that no past Ages whatsoever can bring an example of any Family, who wish such a constant and invincible Fidelity, have served their King & Countrey; that of the House of Somerset, of whom so many lost their Lives on the part of the Lancastrian Family, whose Quarrel they first took up, and remained constant in maintaining to their ends, coming as far inferiour to the Services performed by those of your Blood in these late Warres, as those of the Noble Family in Flanders, spoken of by Philip de Commines (who so freely ventured their Lives for their Countrey) did to the Somerset's. To You therefore, my Lord, I humbly presume to present this History, hoping, (that though in it self it may not be thought worthy your view, yet that) Your Lordship will be pleased to accept it with the same Goodnesse which Crowns all your Actions; and then I am assured that both it will have a happy Reception, and Your Lordship will pardon the humble Devotion of

Your Graces
most Humble and most Faith-
full Servant and Vassall,
J. D.

THE

THE PREFACE.

THE ensuing History of the *Civill Wars of Great Britain and Ireland*, was begun to be writ, and a good progress made in it, before it was either believed, or indeed imagined, that their happy end was so nigh, by the restoration of his Sacred Majesty our Sovereign Lord the King: yet this I say not because any should believe, that though written in these times, I had at all followed the humour of the times, but (though with danger, as it might have hapned) pursued that impartiality which before my pen was set to paper, I had resolved to write it with.

For I am not ignorant that an unbyassed resolution of setting down things as they really are, without respect to persons or causes, is the chiefest ornament of an Historian: *Ne quid falsæ audeat, ne quid veræ non audeat*. That neither fear, nor opinion, strain his pen in favour or disfavour of any thing or person: and as this course was my first resolution, so I hope 'twill be found by reading the History, that I have not swerved either to the right hand or to the left.

If any thing in prejudice of any party hath slipped my pen, it hath been where I have found the King and Church so much injured by some ambitious self-seeking men, that *impossibile erat Satyræ non scribere*; it was impossible not to write a Satyre: for these Wars in their rise were carried on with so much scandal to the Kings most Excellent Majesty, with so much obloquy to the Sacred Church, and Reverend Clergy, that though it be not just to return them like for like, yet would it have been a great deal of injustice not to have represented them as they were.

And because it hath been objected by some, that I have in some particulars been somewhat Satyrical against Parliaments; I protest seriously, that if any thing of that nature has fallen from my pen, it has been by my too heedless following of some other Authors: nor do I imagine any thing else could have led me to an ill representation of Parliaments; I having always solemnly honoured, and do, and still shall honour that High Court, looking upon it as the Great Council of the Kingdom, and that by which its peace and glory is maintained and preserved.

For though it be apparent to all the world, that the Long Parliament did first begin the Warre against the King, yet it is as clear that it was not the Parliament indeed, that is, the whole Body of that Grand Council, but only some particular factious persons, who by an ill influence over most part of the House of Commons, did draw them to a consent of furthering the Kings, their own, and the Nations ruine: and as I believe that the Design carried on by those particular persons, was a thing of no small premeditation; so I am likewise of opinion, that many who consented to their Councils, were either such as through fear or ignorance were drawn in; or on the other side, persons who

T H E P R E F A C E.

acted under a clear conviction of conscience, deluded by their large and specious pretences.

For as in all affairs of the like nature, Religion has been made the foundation of talking armes, so in this there wanted not those shining glosses and colours, as might have started a well-settled judgement, and dazled the eyes of good and quick understandings; whereby many might out of a real Zeal to the pretended goodness and righteousness of the cause, be led to such things, as had they appeared in their proper and genuine shape, would have seemed terrible, and been abhorred by them; which sufficiently appears by their deserting, or at least disowning the proceedings of the rest, when they had (as we know who upon another account said) brought their business to the uppermost round of the ladder, and discovered their true intents and meaning; viz. to abolish Monarchy, and establish a new *Chymera* of their own.

Most certain it is, that however closely and subtilly carried, a Design there was before the eruption of the Warre, and at the beginning of the Long Parliament, to introduce a new form of Government both in *England* and *Scotland*, carried on by particular persons, and fomented by the politick artifices of Cardinal *Richelieu*; a person who accounted it a great honour to disorder and discompose Heretical Kingdoms, (for so are the Protestants by them called) that wayes might be laid open for the re-introducing of Popery. And because he was sensible, that without such distractions nothing could be effected, the Church of *England*, as it then stood triumphant, being likely to prove the greatest Bulwark against the Pope, and his power; and though it might probably be shaken, yet utterly to abolish it, was judged impossible, unless with it they could throw down Monarchy too.

To this purpose, the *scots* (aptest to take fire) were first juggled with, and some discontents broached, that the Kings of *England* would now make *Scotland* (as ancient a Kingdome as that) a Lieutenantcy or Province truckling under *England*. But especially were these discontents heightened, when by some ill counsel the King had resolved upon the Commission of Surrendries; which the *scots*, a Nation naturally griping and covetous, because poor and needy, more resented then the introducing of the English Liturgy amongst them; though they made the last their pretence, the better to inveigle the vulgar, whom they possessed with a design of the Kings, to introduce Popery; which they themselves were rather in the way to effect.

In the mean time, Agents were not wanting in *England* to foment there the like Differences, Discontents, and Divisions in the Church; 'tis an old Rule of the Devils, *Divide & Impera*, Divide and Reign: and such was then the Genius of the People, that they seem'd as were willing to entertain a change. These Artifices in the end set both Nations on fire, to the almost utter Ruine of them, as the History it self will best declare.

And to make the miseries which attended these Kingdoms full and compleat, at the same time that the *scots* (having by their Rebellious Raising Arms gained whatever they could desire, either for Settlement of Church or State after their own Mode) were returned home with a seeming content: the *Irish* Catholics thinking, that having so good a Precedent, they might obtain priviledges of the same nature, both in respect to their Religion and the Government of that Kingdom, put themselves likewise into Arms; but in a more violent manner they the *scots* had done: for these were not only
content

THE PREFACE.

content to Rebel, but dyed their Rebellion with the Blood of such *English* Protestants as cohabited with them.

This is in summe the Argument of the first part of the ensuing History of the *Civil Wars of Great Britain and Ireland*, wherein there hapned such strange Transactions and Revolutions, as scarce past Ages can paralel, nor future will believe: For to omit the several passages of the War (especially in *England*, where more Battels were fought in four Years, then there had been in five times that space of time in the Wars of *Germany*) let us passe to the Effects; and certainly to consider that the whole Frame of a Government both in Church and State of so long Durance, and established by the most exact Rules of Prudence and Policy, should so suddenly be overthrow; a King (the Lords Anointed) murdered by a Crew of the most Inferiour of his Subjects, the whole Government of the Church (a Church envied by our very Enemies for its Splendor and purity) trodden under foot; the Legislative Power over these Nations taken into their hands who had murdered their Sovereign, and by them like a Tennis-ball tossed from one to another, must needs cause wonder, if not beget an unbelief.

But that which this History may be usefull for, is to let future Generations see, how whilst this Nation endeavoured by a Civil War to remedy pretended Evils, they run themselves into real Mischiefs: Their taking up Army against their lawfull King, subjected them to the Lawlesse Tyranny of an Usurper; nay, sometimes of many Usurpers: Those whose fickle Heads hankred after a change, were wearied with such changes as both drained their purses, and made them in such a condition, that having once cast off their Obedience to their King, they knew not now whom to Obey: But whilst they were forming their Obedience to one sort of pretended Government, straight another started up; so that they were like people led up and down by a *fack* in the Lanthorn, or *Will*, oth' *Wisp*; now this way, now that, o're hedge and ditch, but they knew not whither.

Thus in fear of a disease (instead of remedy) had they taken so violent a Purge, as in the end proved their poison, and wrought so strongly upon them, that (not being sensible before they could not remedy it) they were brought over to the door of Death, to the jaws and brink of Destruction and Ruine; which they had assuredly fell into, had not God by his immediate hand helped them out. And as he was pleased, that the original of our Miseries should come out of *Scotland*, so fetch our Deliverance from thence, under the Conduct of the thrice Illustrious Duke of *Albemarle*.

Thus were those Wars which had so long harassed these Kingdoms, banished our lawfull Prince, deprest the Nobles, oppressed the Commonality, and made us the subject of slaughter to our Enemies and pity to our Friends, by the blessing of God ended; may never such more afflict these Kingdoms: But since our King is restored, since we have now a Center to fix our Allegiance, let us settle it there to eternity.

I shall not trouble the Reader with the Reasons of my undertaking to write this History; what leisure, want of other employment, gave me, besides the delight which I had in conversing with the Records of our late Variations, were the chief Motives which induced me to do it. I have in it neither omitted nor committed any thing wilfully; nor do I think that want of care hath made me run into many Errors, though I know it almost impossible to be free from some. Where any are found, I shall heartily return thanks

TO THE READER.

thanks to those who will inform me, and expresse it by a new care to amend them : For I am neither of that self-conceited temper as to think my own Judgement in all things the best ; nor so obstinate, but I shall willingly entertain any, which by convictions of Reason, or by the experience of persons, may appear better. All that I desire is, that if I chance to be thought worthy any mans Cenſure, he will do it mildly, as to one who will be ready to receive his advice, and not biting nor Satyrically : those only deserving such a counſe, who having wilfully committed Errors, will likewise obstinately maintain them.

The



The CONTENTS of the CHAPTERS contained in this
ensuing HISTORY.

The Proem.

Containing the long continued Peace which England had enjoyed, and the strangeness
of her first breaking out into Civil War.

CHAP. I.

King James his Death: A short Review of the Beginning of King Charles his Reign.
Fol. 1

CHAP. II.

The Scots the first that did blow the sparks of Sedition, the reason of their Discontents.

CHAP. III.

The Faction in England correspond with the Scots, encouraged by them.

CHAP. IV.

Of Ship-money, the occasion of Levying it, its Lawfulness, and the Use made of it to
incomf the people.

CHAP. V.

Both England and Scotland filled with seditious Pamphlets; the Lord Barlmerino ar-
raigned in Scotland, and Prinn, Baltwick and Burton, censured in England.

CHAP. VI.

The Leiturgie sent into Scotland, the Scottish Tumults about it; it is recalled, yet they
put themselves in Arms.

CHAP. VII.

The King prepares an Army, declares his Reasons; the Scots answer thereto.

CHAP. VIII.

The Large contribution of the English Clergy, Nobility, and Gentry, towards this War;
Duke Hammliton sent with a part of the Fleet against the Scots; his Treachery.

CHAP. IX.

The King advances to Barwick; Views the Scottish Army; Treass with them, and con-
cludes a Pacification.

CHAP. X.

The several Censures upon the pacification; Omens which happened at the Kings first set-
ting out against the Scots.

CHAP. XI.

How ill the Scots kept the Articles of the pacification.

CHAP. XII.

The Scots General Assembly and Parliament; their Actions: the Parliament pro-
rogued.

THE CONTENTS.

CHAP. XIII.

The Scottish Parliament protest against their prorogation: send Deputies into England: London accused for penning a Letter from the Covenanters to the French King, and imprisoned. 14

CHAP. XIV.

The Lord Wentworth Lieutenant of Ireland called home, and created Earl of Strafford: a Parliament in England and Ireland resolved on, and a War with Scotland. 15

CHAP. XV.

Strafford's return from Ireland: the Parliament of Englands proceedings and dissolution: the Convocation sits still. 16

CHAP. XVI.

The Insurrection of the Apprentices: the King advises with a Junctio of his Council about the War with Scotland. 18

CHAP. XVII.

The Duke of Gloucester born; the Scots Army advance; the King marches towards; and proclaims them Traytors: the Lord Conway's Defeat at Newburn: Haddington blown up at Dunglassie. 22

CHAP. XVIII.

The Scottish petition, answer, and demands: the petition of the eleven Lords, and of the City of London; the Peers meet at York; the Long Parliament resolved on. 21

CHAP. XIX.

The Treaty with the Scots. Montros's deserts the Covenanters. 23

CHAP. XX.

What the Priviledges of Parliament were, and how they had their growth. 25

CHAP. XXI.

The Parliament convene: The King's Speeches to them. Debates and grievances. 27

CHAP. XXII.

The Impeachment of the Earl of Strafford. Money borrowed of the City. The enlargement of Bishop Williams. Votes against ship money, and the canons. The flight of Secretary Windebank, and the Lord Keeper Finch. 29

CHAP. XXIII.

The Archbishop of Canterbury impeached. The Scots Covenanters charge against him, and the Earl of Strafford. 31

CHAP. XXIV.

The Scots voted one hundred thousand pounds. Sir George Ratcliffe's impeachment. Debates about a Triennial Parliament. 33

CHAP. XXV.

The Treaty at London with the Scots. Overtures of a Match between the Princess Mary, and the Prince of Orange. Pretended plots. The Bill for the Triennial Parliament passed. 35

CHAP. XXVI.

Articles against the Archbishop. Several petitions against Hierarchie. Bishops voted out of all temporalities. 36

CHAP. XXVII.

The Earl of Strafford's tryal. 38

THE CONTENTS.

CHAP. XXVIII.

The Earl of Strafford condemned in the Commons House by Bill of Attainder. Petitions against the Papists. The Bill of Attainder read as Bar. The King's speech about it. 43

CHAP. XXIX.

The marriage of the Princess Mary. The tumult of the Londoners. The Commons protestation. A will propounded for continuation of this Parliament. The Lords pass the Bill of Attainder. 44

CHAP. XXX.

The King perplexed what answers to return the two Bills. He passed them. The Earl of Strafford's death. 45

CHAP. XXXI.

Several Officers of State surrender their places. The English army discontented. The Bills for Sole-money, and abolishing the High Commission, and Star-Chamber. 48

CHAP. XXXII.

The Judges questioned about ship-money. The King's journey to Scotland. Disorders thereupon. 50

CHAP. XXXIII.

The breaking forth of the Irish Rebellion. 51

CHAP. XXXIV.

The Lords Justices of Ireland prepare for defence. Their letters to the King and Parliament in England. The general defection of Ulster. The Rebels Declaration. 53

CHAP. XXXV.

The Parliaments proceedings about the Irish Rebellion. The Rebels proceedings there. 55

CHAP. XXXVI.

The King magnificently feasted by the City of London, at his return from Scotland. The Parliament's Petition and Remonstrance. 59

CHAP. XXXVII.

Kimbolton and the five Members questioned. Bishops accused of High Treason. The King goes to Hampton-Court. Petitions for the Militia. The Queen and Princess Mary go to Holland. 61

CHAP. XXXVIII.

The Parliaments demands of, and the Kings severall answers touching the Militia. 66

CHAP. XXXIX.

The Kings repulse at Hull. The Parliament in a posture of War. Their Declaration. 68

CHAP. XL.

Preparation for War on both sides. 69

CHAP. XLI.

The Parliament vote an army. Their Petition to the King at Beverley. The Earls of Stamford and Essex proclaimed traitors. 71

CHAP. XLII.

The King sets up his Standard at Nottingham. His Messages thence to the Parliament. 74

CHAP. XLIII.

The two armies take the field. Some military effects on both sides. Edgehill fight and Brenford. 75

THE CONTENTS.

CHAP. XLIV.

The Northern Affairs under the Earle of Newcastle for the King, and the Lord Ferdinando Fairfax for the Parliament: the Lord Aubigny's death: the City and Parliaments petition: the Queen lands in England. 81

CHAP. XLV.

The Lord Brook and Earle of Northampton's deaths: Litchfield Close re-taken by Prince Rupert: Essex takes Redding. 84

CHAP. XLVI.

Cheapside Crosse pulled down: the King and Queen meet; the Solemn League and Covenant. Yeomans and Bourchier hanged at Bristol, and Tomkins and Challoner at London. 86

CHAP. XLVII.

A new Great Seal framed: the Regalia at Westminster seized: Tame Fight: the Revolt of the Hothams. 89

CHAP. XLVIII.

The Fight at Lands-Down and Round-away-Down: Exeter delivered to Prince Maurice, and Bristol to Prince Rupert. 90

CHAP. XLIX.

The Siege of Gloucester. 92

CHAP. L.

A short account of the Affairs in Ireland: Cessation of Arms there: some English Forces come over from thence. 95

CHAP. LI.

Essex surprizes Cirencester: Newbury first Fight: the Kings endeavours to straiten Gloucester. 98

CHAP. LII.

The King summons the Parliament to Oxford. 100

CHAP. LIII.

The Scots enter England: their Declaration: Sir Thomas Glenhams Letter to Argyle 104

CHAP. LIV.

Montrose his propositions to the King: Prince Rupert raises the Siege from Newark 107

CHAP. LV.

Brandean-Heath Fight. Selby taken by Fairfax: the Parliament at Oxford prorogued; the Kings protestation. 109

CHAP. LVI.

Prince Rupert taketh Stowwash, and relieves Latham-House: the Parliament hasten their Army out. 112

CHAP. LVII.

The King marches from Oxford: Essex and Waller divide: Waller defeated at Cropdy Bridge. 113

CHAP. LVIII.

The King pursues Essex into Cornwall, and defeats him utterly at Leifethiel. 115

CHAP.

THE CONTENTS.

CHAP. LIX.

The Battel of Marston-Moor. York surrendred to the Parliament. 110

CHAP. LX.

The Siege of Dennington Castle by the Parliaments Forces: the Earl of Northampton raises Banbury Siege, and defeats the Besiegers. 122

CHAP. LXI.

Massey defeats Collonel Myn: his Victory at Ait-Ferry: Monmouth betrayed to him 124

CHAP. LXII.

The Siege of Basing-House. 126

CHAP. LXIII.

The second Newbury Fight. 128

CHAP. LXIV.

Essex summons and assaults Dennington Castle, but in vain; he quits Newbury, which the King possesses: the Parliaments resolutions to new Model their Army: Newcastle taken. 131

CHAP. LXV.

The Treaty at Uxbridge. 132

CHAP. LXVI.

The two principal Irish Rebels Mac-Mahon, and the Lord Macquize executed; the trial and death of the Hothams: and the lamentable death of the Archbishop of Canterbury. 139

CHAP. LXVII.

The Actions of Montrose in Scotland. 143

CHAP. LXVIII.

Essex, Denbigh, and Manchester surrender their Commissions: some affairs of both Armies under the new Models: Collonel Windebank shot to death. 150

CHAP. LXIX.

The King takes Leicester: the fatal Battel at Naleby. 154

CHAP. LXX.

Taunton relieved: the Insurrection of the Club-men: Bridgewater, Bath, and Scarborough surrendred to the Parliaments Forces. 157

CHAP. LXXI.

The Scots besiege Hereford, they are discontented; Bauton-Heath Fight: Bristol surrendred by Prince Rupert: several Garrisons taken by Cromwel, and other Successes of the Parliaments Forces. 161

CHAP. LXXII.

Several Messages and Overtures of the Kings for peace. 169

CHAP. LXXIII.

Westchester, Dartmouth, &c. surrendred to the Parliament; Hopton defeated at Torrington, and disbanded upon conditions. 179

CHAP. LXXIV.

This years Successes of the Marquess of Montrose in Scotland. 182

CHAP. LXXV.

Lord Astley defeated; Exeter and other Garrisons surrendred; the King flies to the Scots.

THE CONTENTS.

<i>Scots; his whole power in England subdued.</i>	191
CHAP. LXXV.	
<i>Treaty with the Scots for delivery of the Kings person to the Parliament: they fall him for 200000 l.</i>	194
CHAP. LXXVI.	
<i>A relation of the Affairs in Ireland; since the Cessation, 1643.</i>	200
CHAP. LXXVII.	
<i>Montrose his Actions in the Year 1646.</i>	204
CHAP. LXXVIII.	
<i>Discontents and Mutinies in the Army: Differences between them, the City and the Parliament: they seize the Kings person.</i>	207
CHAP. LXXIX.	
<i>Propositions sent to the King: the beginning of the Agitators: the King escapes to the Isle of Wight: the first Treaty there: Votes of Non-Address.</i>	214
CHAP. LXXX.	
<i>Visitation of Oxford University: Insurrection in London: Poyer and Laughorn revolt in Wales, they are routed and taken prisoners.</i>	218
CHAP. LXXXI.	
<i>The Rising of Kent; and the Siege of Colchester: the rising in Surrey: and the escape of the Duke of York.</i>	232
CHAP. LXXXII.	
<i>The Scottish Invasion under Duke Hamilton: Cromwel enters Scotland.</i>	240
CHAP. LXXXIII.	
<i>The Form of presbyterian Church-Government, &c.</i>	243
CHAP. LXXXIV.	
<i>The Treaty of Newport: the Kings Concessions voted satisfactory: the House of Commons purged.</i>	260
CHAP. LXXXV.	
<i>The King brought to Windsor: Ordinance of Parliament for his Tryal: Sentence of Death pronounced against him, by the pierended High Court of Justice: his Murder.</i>	277
CHAP. LXXXVI.	
<i>A Proclamation forbidding the proclaiming of any King: the Commons turn out the Lords; their protestation; the Council of State established.</i>	295
CHAP. LXXXVII.	
<i>The Tryals of Duke Hamilton, the Earle of Holland, the Lords Capel and Goring, and Sir John Owen: the three first executed.</i>	301
CHAP. LXXXVIII.	
<i>The Scots dissent, and protest against all proceedings against the King: they proclaim King Charles the Second, and send Commissioners to invite him over.</i>	310
CHAP. LXXXIX.	
<i>Acts for establishing England a Free Commonwealtb, and for abolishing Kingship and the House of Lords.</i>	315
CHAP. XC.	
<i>Affairs of Ireland: Cromwell sent over thither.</i>	319
CHAP.	

THE CONTENTS.

CHAP. XCI.

The Scots propositions to the King. His Answer. Commissioners appointed to treat. 325

CHAP. XCII.

Montrose his Expedition into Scotland. His defeat, and inhumane murder. 329

CHAP. XCIII.

A Treaty at Breda between the King and the Scots Commissioners. He arrives in Scotland. 335

CHAP. XCIV.

Cromwell enters Scotland. Dunbar fight. 339

CHAP. XCV.

The King marches into England. His total defeat at Worcester. 342

CHAP. XCVI.

The miraculous escape of King Charles the Second from the fight of Worcester. The death of the Earl of Derby. 350

CHAP. XCVII.

The success of Colonel Monk in Scotland. The Isles of Jersey, Guernsey, Man, and Sillery, taken. The Western Plantations reduced. 353

CHAP. XCVIII.

The War between the States of England and Holland. 356

CHAP. XCIX.

Cromwell dissolves the Long Parliament: takes upon him the Government of the Commonwealth. 361

CHAP. C.

The continuation of the War with the Hollander. Peace concluded with them. 366

CHAP. CI.

The King's entertainment in France. His endeavours to reconcile the King and Prince. His departure thence. 368

CHAP. CII.

The calling and dissolution of Cromwells first Parliament. A plot discovered. 373

CHAP. CIII.

Pen and Venables voyage to Hispaniola. Blake's exploits in Barbary. 376

CHAP. CIV.

Majors Generals constituted. Debates about admission of the Jews. Open War with Spain, and peace with France. 380

CHAP. CV.

The protectors second parliament. petition and advice. The other House nominated. Parliament dissolved. Blake's victory at Sancta Cruz. 383

CHAP. CVI.

Doctor Hewitt's and Sir Henry Slingsby's death. Dunkirk taken. 389

CHAP. CVII.

The death of Oliver Cromwell Protector. His son Richard proclaimed. A Parliament called. Dissolved. His power taken away. 392

CHAP. CVIII.

The old Junctio of Commons re-admitted. Sir George Booth, &c. declares against them.

THE CONTENTS.

<i>Scots; his whole power in England subdued.</i>	
CHAP. LXXV.	191
<i>Treaty with the Scots for delivery of the Kings person to the Parliament: they sell him for 200000 l.</i>	
CHAP. LXXVI.	194
<i>A relation of the Affairs in Ireland, since the Cessation, 1643.</i>	
CHAP. LXXVII.	200
<i>Montrose his Actions in the Tear 1646.</i>	
CHAP. LXXVIII.	204
<i>Discontents and Mutinies in the Army: Differences between them, the City and the Parliament: they seize the Kings person.</i>	
CHAP. LXXIX.	207
<i>Propositions sent to the King: the beginning of the Agitators: the King escapes to the Isle of Wight: the first Treaty there: Votes of Non-Address.</i>	
CHAP. LXXX.	214
<i>Visitation of Oxford University: Insurrection in London: Poyer and Laughorn revolt in Wales, they are routed and taken prisoners.</i>	
CHAP. LXXXI.	128
<i>The Rising of Kent: and the Siege of Colchester: the rising in Surrey: and the escape of the Duke of York.</i>	
CHAP. LXXXII.	232
<i>The Scottish Invasion under Duke Hammliton: Cromwel enters Scotland.</i>	
CHAP. LXXXIII.	240
<i>The Form of presbyterian Church-Government, &c.</i>	
CHAP. LXXXIV.	243
<i>The Treaty of Newport: the Kings Concessions voted satisfactory: the House of Commons purged.</i>	
CHAP. LXXXV.	269
<i>The King brought to Windsor: Ordinance of Parliament for his Tryal: Sentence of Death pronounced against him, by the piersended High Court of Justice: his Murder.</i>	
CHAP. LXXXVI.	277
<i>A Proclamation forbidding the proclaiming of any King: the Commons turn out the Lords: their protestation; the Council of State established.</i>	
CHAP. LXXXVII.	295
<i>The Tryals of Duke Hammliton, the Earle of Holland, the Lords Capel and Goring, and Sir John Owen: the three first executed.</i>	
CHAP. LXXXVIII.	301
<i>The Scots dissent, and protest against all proceedings against the King: they proclaim King Charles the Second, and send Commissioners to invite him over.</i>	
CHAP. LXXXIX.	310
<i>Acts for establishing England a Free Commonwealt, and for abolishing King ship and the House of Lords.</i>	
CHAP. XC.	315
<i>Affairs of Ireland: Cromwell sent over thither.</i>	
CHAP.	319

THE CONTENTS.

CHAP. XCI.

The Scots propositions to the King. His Answer. Commissioners appointed to treat. 325

CHAP. XCII.

Montrose his Expedition into Scotland. His defeat, and inhumane murder. 329

CHAP. XCIII.

A Treaty at Breda between the King and the Scots Commissioners. He arrives in Scotland. 335

CHAP. XCIV.

Cromwell enters Scotland. Dunbar fight. 339

CHAP. XCV.

The King marches into England. His total defeat at Worcester. 342

CHAP. XCVI.

The miraculous escape of King Charles the Second from the fight of Worcester. The death of the Earl of Derby. 350

CHAP. XCVII.

The success of Colonel Monk in Scotland. The Isles of Jersey, Guernsey, Man, and Silly, taken. The Western Plantations reduced. 353

CHAP. XCVIII.

The War between the States of England and Holland. 356

CHAP. XCIX.

Cromwell dissolves the Long Parliament: takes upon him the Government of the Commonwealth. 361

CHAP. C.

The continuation of the War with the Hollander. Peace concluded with them. 366

CHAP. CI.

The King's entertainment in France. His endeavours to reconcile the King and Prince. His departure thence. 368

CHAP. CII.

The calling and dissolution of Cromwells first Parliament. A plot discovered. 373

CHAP. CIII.

Pen and Venables voyage to Hispaniola. Blake's exploits in Barbary. 376

CHAP. CIV.

Majors Generals constituted. Debates about admission of the Jews. Open War with Spain, and peace with France. 380

CHAP. CV.

The protectors second parliament. petition and advice. The other House nominated. Parliament dissolved. Blake's victory at Santa Cruz. 383

CHAP. CVI.

Doctor Hewit's and Sir Henry Slingsby's death. Dunkirk taken. 389

CHAP. CVII.

The death of Oliver Cromwel Protector. His son Richard proclaimed. A Parliament called. Dissolved. His power taken away. 392

CHAP. CVIII.

The old Junctio of Commons re-admitted. Sir George Booth, &c. declares against them.

THE CONTENTS.

them ; Lambert routs and takes him prisoner, dissolves the Junctio ; a Committee of safety set up. 398

CHAP. CIX.

General Monck advances out of Scotland ; the Junctio of Commons again re-admitted ; Lamberts Army deserts him. 403.

CHAP. CX.

General Monck marches to London ; pulls down the City Gates ; admits the secluded Members ; a Free Parliament resolved on ; Lambert re-taken. 406

CHAP. CXI.

The Kings gracious Letters to the Parliament ; their joyful reception ; the King proclaimed ; arrives at London ; the end of our miseries. 410



THE P R O E M,

CONTAINING

The long continued peace which *England* had enjoyed, and the strangeness
of her first breaking out into Civil Warre.

THE Civil Warres, which for near Twenty Years have so terribly
shaken, and distracted these miserable Nations, had their rise out of so
long, and well-grounded a peace, that not only Foreign Nations, but
those who suffered under them, were to seek, and future Generations
will admire, at the first Occasions and Grounds of their breaking forth:
For never were Nations (had they known and been sensible of it) so happy in two suc-
ceeding Kings (*James* and *Charles* of glorious memory) as these were, blessed under
their Governments, with near forty Years of a continued peace; which in the end filled
them with so great plenty and Riches, that grown proud, they fell into such a Surfeit,
that nothing but a violent Bleeding could effect a cure. True it is, that during the
Reigns of both the fore-mentioned Kings some Humours there lay a breeding, which
now somented by Foreign instigations, struggled for a Predominancy; but had they
(as in policy they ought to have) been strangled in their Infancy, and cropt in the Bud,
it might in all probability have prevented succeeding Evils: For Kingdoms are in a great
measure like our Natural Bodies, in which, if presuming upon a continued Series of
Health, we permit ill Humors, though at first never so small, to contract and gain a
head, they may at length come to corrupt the Vitals, and bring upon us an incurable
Disease; whereas if we had not slighted them when they were in the first rise, we might
easily have purged them away, before by an united power they had effected our ruine:
The same that ill Humors are in the Natural Body, Factious Spirits are in the Body
Politique of any State or Kingdom; and by the same violence ought they to be purged
away, before they come to gather strength or parties. Nor ought a Prince to be more
carefull in any things, then in not permitting such Spirits (whose mouths breathe forth
nothing but Ruine) to gain any power, but nip them in the bud, before they can have
any time to strengthen and enlarge their Factions. For want of which Policy, I have
often heard some prudent persons, extremely blame King *James*, who not only permit-
ted the Puritanical party, but likewise gave them boldness, by admitting them to
publique

THE PROEM.

publique Disputes. Nor was King *Charles* his lenity and too much mercy towards them, lesse then his Fathers, which afterwards, time having enlarged their Faction, they unthankfully improved, to endeavour a ruine of Hierarchy, the best of Spiritual; and Monarchy, the best of Civil Governments; as in the sequel of this History will appear.



CHAP.



is them,
hey un-
al: and
will ap-



CHAP. I.

*King James his Death, a short Review of the beginning of King Charles
his Reign.*



Scarce was King Charles then Prince of Wales by Proxie,
granted to the Duke of Chevreux, Espoused to the Illustri-
ous Princess Henrietta Maria, Daughter to the Great Hen-
ry of France, but King James his Father bids adieu to this
world, leaving behind him, though a plentiful Kingdom, *King James
his Death.*

yet an empty Exchequer, and a War entailed upon his Suc-
cessour, who nevertheless (having first with great So-
lemnity performed his Fathers Funeral Rites, and with as
much splendour received his beloved Spoule) calls a Parlia-
ment, resolving by their assistance to prosecute that War a-

*A Parlia-
ment in
England.
War with
Spain.*

gainst Spain, for the recovery of the *Palatinate*. A Parliament it was which in the
twentieth year of King James, had engaged him in this War, and did by particular Ad-
dresses to himself then Prince, assure him that they would stick to him even to the ut-
most expence of their Lives and Fortunes; the King therefore makes this Parliament
of that promise, and desires Money for the supply of his Fleet, then ready to go to Sea,
which they grant, but so little, that it would scarce serve for Advance Money to the
Seamen and souldiers; for Parliaments had now got a trick nor to grant any Money
to the King, before the Commons had paid themselves at ten years purchase, or more,
out of the Royal Prerogative; therefore at their adjournment to Oxford, which was Parliament
shortly after by reason of the Plague then at London, instead of raising more Money, a Journal
which the King earnestly pleaded for, they begin to rip up Grievances, and were bring-
ing into the House an Impeachment against the Duke of Buckingham then chief in the Impeach-
ment Kings favour; which perverseness of theirs the King perceiving, and finding little against their
hopes of money from them, dissolved them. Thus for want of Supplies, the Fleet then kingham.
prepared went out late, and returned unprosperously, being driven about by storms and Parliament
tempests, things incident to the latter season of the year; But in the mean time the dissolved
Kings Coronation having been sumptuously Solemnized, he against next Spring sum- second Par-
mons another Parliament, from whom he expects better things, but findes worse; for liament sum-
these, though they Vote him some Subsidies, yet refuse to passe the Bill till such time moned.
as the King would deliver the Duke of Buckingham (against whom they had framed a Impeach-
large Impeachment) to their mercy; which the King finding and knowing that in the ment a-
Duke they struck at him, after they had late near five months to no effect, dissolved gainst the
them, during which Interval there happens another Foreign War with the French, Duke of
for his Majesty of England having sent back those Priests and Domestick servants which Bucking-
came ham

The Civill Warres

*War with
France.*

came over with the Queen, their insolence being grown to that height, as not to be comported: The King of *France* after having demanded their restoration, first began War by seizing the English Merchants and their Ships in *Burdeaux* River, so the Fleet intended for *Spain* is under the Command of the Duke of *Buckingham* sent against *France*, and enleavour the taking of the Isle of *Ree*, (to the intent to relieve *Rochel* then besieged by the French King (but unprosperously. Whilst the King gives life to

*Expedition
to Ree.*

*Third Par-
liament.*

*Petition of
Right.*

his third Parliament, to whom he freely declares his necessities, and they first present unto him the *Petition of Right*, a thing highly intrenching upon the Royal Prerogative, promise, that upon his granting of it they would have another Act in readiness for leaving off five Subsidies for his present necessities; which being so great as they then were, forced him, though unwillingly, to a concession to their desires; yet were they not content with that, but they endeavour a further intrenchment upon his Prerogative, by preparing a Remonstrance to take away his Right of Tonnage and Poundage; which the King hearing of, Adjourns them for some moneths, During which time, the Duke of *Buckingham* being at *Portsmouth* ready to set sail again with a well compleated Fleet for the relief of *Rochel* both by sea and land, is stabbed to death by one *John Felton* an obscure fellow; yet the Fleet goes on under the Earl of *Lindsey*, who in vain had attempted the Relief of the Town, strongly had the French Barricaded the Port.

*Parliament
adjourned.*

*Parliament
sit.*

Shortly the Parliament sit again, the King having endeavoured by some Acts of grace during their Adjournment to please them, and bring them a little better to his lure, but all in vain, for they are no sooner come into the House, but they call the Customers in question for leaving of Tonnage and Poundage, not then granted by Act of Parliament, and tearing to be Dissolved before they had brought about their ends in this business, they lock the door, keep the Keyes within, and hold the Speaker perforce in the Chair; these riotous actions the King hearing of, comes with his Guard of Pensioners, forces open the Door, goes to the House of Lords, and Dissolves them. Afterwards thinking it necessary to weaken the Popular Faction, by serious advice he created

*Parliament
Dissolved.*

Sir John Savil of *York-shire*, a busie man in the house of Commons, Lord *Savil* of *Pontefract*, and makes him Comptroller of his Household; and *Sir Thomas Wentworth* of *Woodhouse* he takes into his Privy Counsel, creates him Viscount *Wentworth*, then Lord Deputy of *Ireland*, and afterward Earl of *Stafford*, a man first inclined to the Popularity, but afterwards the greatest asserter of Royal Prerogative that *England* hath for many years bred, which in the end cost him his life; thus took he two of the deepest reaching judgments from that Faction, & made them of his own party. Soon after Peace

*Peace with
France and
Spain.*

is concluded both with *France* and *Spain*; and *England* for some years together enjoys all imaginable happiness both for inward plenty, and foreign Traffick. And to make these Kingdoms yet more happy, on the twenty ninth of *May*, 1630. the Queen was delivered of Prince *Charles*, now by the Grace of God after so many troubles, miseries, and disasters, King of *England*, &c. Nor was any apparent check to this happiness and prosperity till the year 1633. as we shall make appear.

of Great Britain and Ireland,

CHAP. II.

The Scots the first that blow the sparks of sedition, the reason of their Discontents.

THe first that puts fire to the Coal, which afterward set these three Kingdoms in a combustion, were the Scots. The Nation had for many hundred years enjoyed Kings of their own, whose Courts they had alwayes present with them, whereas by the Union of that Kingdom with England, their Kings resided in England, as in the better Kingdom, which made them discontentedly mutter, that they should now have none of their Kings Court with them, but that they who had so long enjoyed Kings of their own, should now become a Province, and be governed by an English Lievetenant or Deputy; which made them very often sollicite his Majesty, that he would be pleased for some time to honour his Subjects of Scotland with his Court and Presence: yet was not this the only reason of their discontents, as appeared afterwards, when his Majesty in the year 1633. made a progresse into Scotland (there likewise to have the Ceremonies of his Coronation performed) for somewhat else there was which gave them a great deal more cause of murmuring, especially to the Nobles, and that was this; by the connivance of *Murray*, and other Regents in minority of King *James*, those Lands belonging to the Cathedral Churches and Religious Houles, which by Act of Parliament had been conveyed to the Crown, were divided and shared amongst the great men of the Kingdom, and they thus possessed of these Lands and Regalities, Lorded it at pleasure over the Clergy and Peasants; King *Charles* at his first coming to the Crown being engaged in the War, necessity of Moneyes, and the little aid which he had from his Scottish Subjects, puts him upon a course by advice of Council for the recovery of his right in those Lands, which he endeavoured to do first by an Act of Revocation, and that failing, by a Commission for surrendering superiorities; the Scots upon this fearing to lose so sweet a morsel both of Power and Profite, resolved either to find some way, either to divert the King from prosecuting that Commission, or to crosse him what possibly they could in the Parliament then to be called, by striving to obstruct all endeavours of the Kings for settling that Uniformity in Religion there, in which his Father King *James* had made so large a progresse; which device they follow, for the Parliament being summoned, the King desires a Ratification of an Act granted to his Father King *James*, & his successors, in the Year 1617. giving power to him or them, to ordain any Habits for the Clergies and Judges professions, but he finds clearly a discontented party of the Nobles who endeavour to oppose it, and principally the Lord *Loudon*, yet was it nevertheless carried by the greater part of the Assembly: And the King notwithstanding these visible signs of discontent, at return to England, prosecutes his intentions to settle an Uniformity in Religion in that Church of Scotland; to which purpose, He gave order to the Dean of his Chappel Royal in *Edinburgh*, to read Prayers there according to the English Leiturgy, and that in the same Habits it should be performed, injoyning the Lords of the Council and other Magistrats of the City, to attend Divine Service there on Sundayes, and other Festivals; and by this practice in his own Chappel, the King hoped that the Leiturgy might by degrees be brought into the other Churches of *Edinburgh*, and so throughout the kingdom; which the Presbyterian Scots guessing at, pos-

1633

Scots fear to be made a Province. They sollicite the Kings presence.

Fear to lose Church Lands the greatest cause of the Scots discontents. Commission for surrendering.

Parliament in Scotland

Leiturgy read in Chappel Royal at Edinburgh

The Civill Warres

lessed the People with fancies, that the King had an intention to force upon their pure Kirk, the Superstitious Ceremonies of the Kirk of England, and these the discontented Lords, out of their fear of the forementioned Commission of Surrenderies, were willing to foment. Thus partly out of self-interest, and partly out of the oblinacy of the Scottish Presbyterians, the first sparks began to kindle.

CHAP. III.

The Faction in England correspond with the Scots, encouraged by them.

The Communion; Table set Altar-wise.

Toleration of Sports.

By reason of encrease of Papists.

NOR wanted there some turbulent spirits in England, whose Puritanical Tenents made them persons fit to carp at whatsoever was decent and comely in Divine Service; and who were exceeding glad if they could find out any thing which they might call an Innovation in Religion, whilst they themselves endeavoured to innovate the whole body of it, but finding very little which they might call so, they resolve to snap at the lightest occasion, and play at small game rather then hold out. The Dean and Chapter of S Pauls, London, had appointed the Communion Table in S. Gregories Church to be set at the upper end of the Chancel Altar-wise, as it did (& ought to) stand in Q. Elizabeths time; some of the factious sort of the Parishioners stomach this, as an Innovation in the Church, and an induction to Popery, and make Appeal from the Ordinary to the Dean of the Arches; Afterwards the Case was tryed before the King and His Privy Council, who approved the Act of the Ordinary, and commanded these Parishioners to desist from their appeal; this highly discontented the Puritanical party at present, but far more, when the Archbishop of Canterbury in his next Metropolitan Visitation, and the Suffragan Bishops in their respective Diocesses, appointed it to bee every where so placed. But that which more then this vexed that precise, or rather perverse generation, was the tolleration which the King by Proclamation (shortly after his Arival from Scotland) confirmed for the use of sports and lawfull Recreations on the Lords Day, which he did upon very good grounds and reasons, and chiefly upon a Petition presented to him at his coming through Lancashire, declaring the great encrease of Papists, by reason that lawfull Recreations were not commanded, most of that Countrey consisting either of Puritans or Papists; the first by a strange kind of strickenesse, observing the Lords Day with more then a Judicial Zeal, nor giving the least rest to their servants, who seeing the servants of their Papists Neighbours have the freedom of lawfull Recreations, were contented to change their Religion to have some respite from servitude; yet was this by that party cryed up for the greatest impiety that possibly could be, which they bawled out upon by many scandalous and seditious pamphlets, railing against both Church and State, abusing and slandering the Bishops (and sometimes the King himself) in the highest manner that could be, perswading the people that these were but Proems to the bringing in of Popery, and subjecting them again to the Whore of Babylon: Nor are they contented here, but their zealous fury carries them to the damning of all lawfull and indifferent Sports and Recreations used in the most Reformed Churches; as Dancing, Masking, Stage-plays, &c. They even condemn the Hospitality which ancient custome taught the Gentry of these Nations to use at Christmas, and other Festivals. By these Pamphlets (under the pretence of Religion

of Great Britain and Ireland.

5

Religion) they slander both the King and the Hierarchy, that they might the easier draw the people to their Faction.

CHAP. IV.

Of Ship Money, the occasion of Levying it, its Lawfulness, and the Use made of it to incense the People.

ALL these exclamations of theirs could not yet so much incense as to bring them to a Tumult; for the People, especially the vulgar sort, who are more nearly touched when they lie under a persuasion, that their civil Rights are more concerned than their Ecclesiastical; those Dul-heads more respecting profit than Religion, there therefore now happens a business which makes the Puritanical party Cockahoop; for those that have a desire to advance themselves, are always glad of any opportunity they can get to render their opposers odious. The usual Guard of ships to the Narrow Seas *The Hollander* (the undoubted Right of the English Monarch) having for want of Moneys been neglected, the Hollander not only usurped the Power over those Seas, but likewise ingrossed the whole Northern Fishing Trade to themselves. And moreover the Turkish *ver the narrow Seas.* Pirates of *Algier, Tunis, and Sally,* came and dared us in the very Channel, taking many Merchants ships, whereby Trading was extremely prejudiced, and many Englishmen carried away slaves; and how to prevent these inconveniences could not be known: The calling of a Parliament for raising of Moneys sufficient to man out a Fleet for scouring *the the Fishing Trade.* the Seas, being no probable way; Parliaments, and especially the House of Commons, *Turkish pi-* being now come to that height, as I said before, that let the Exigencies of the Kingdom *rats.* be never so great, yet they would not raise any Money without being well paid for it out of the Royal Prerogative; so that in time by such incroachments they must necessarily wrest the whole Legislative power over these Nations into their own hands, whereby the King would from a King of *England* descend to be less than a Duke of *Venice,* as afterwards indeed it proved. The King therefore consulted with some learned Lawyers whether they could not a President be found, That the King in the urgent necessity of the Kingdom, might legally raise moneys without a Parliament. Presidents are soon found out by the Kings learned Attorney General *Noy,* That the King might in time of eminent danger raise Money without a Parliament under the Title of Naval Aid, or Ship Money, for the defence of the Kingdoms Rights from Foreign Enemies; and accordingly by his Advice the King Issues out his Writs first to *Maritime Towns* who were like to receive most benefit by the Leavy, and afterwards to all Towns and Counties in *England and Wales,* for the raising of Moneys to set out a certain number of ships well mann'd and furnished with Ammunition and provisions, and all other necessities, for defence of the Kingdom: With which Tax the King did not only recover his ancient Right in the Narrow Seas, then so highly questioned by the Hollander, but also very much enriched the Nation, by clearing the Coasts of *Pirats,* whereby a free and happy Traffick was enjoyed. Yet notwithstanding all the benefits which arrived to the Nation by that Leavy, the Factious spirits glad of any occasion, whereby they might render the King odious to the people, pretended it a breach of Civil Rights, and little less than a Tyrannical Act of the King, thus to Leavy money without consent of Parliament: And Mr. *Hampden of Buckinghamshire,* a turbulent person, having gathered

Writs for Ship Money.

Exclaimed against.

Hampden refuse to pay.

gathered

The Civill Warres

essed the People with fancies, that the King had an intention to force upon their pure Kirk, the Superstitious Ceremonies of the Kirk of *England*, and these the discontented Lords, out of their fear of the forementioned Commission of Surrenderies, were willing to foment. Thus partly out of self-interest, and partly out of the obstinacy of the Scottish Presbyterians, the first sparks began to kindle.

CHAP. III.

The Faction in England correspond with the Scots, encouraged by them.

The Communion Table set Altar-wise.

Toleration of Sports.

By reason of encrease of Papists.

NOR wanted there some turbulent Spirits in *England*, whose Puritanical Tenents made them persons fit to carp at whatsoever was decent and comely in Divine Service; and who were exceeding glad if they could find out any thing which they might call an Innovation in Religion, whilst they themselves endeavoured to innovate the whole body of it, but finding very little which they might call so, they resolve to snap at the lightest occasion, and play at small game rather then hold out. The Dean and Chapter of *S Pauls, London*, had appointed the Communion Table in *S. Gregories Church* to be set at the upper end of the Chancel Altar-wise, as it did (& ought to) stand in *Q. Elizabeths* time; some of the factious sort of the Parishioners stomach this, as an Innovation in the Church, and an induction to Popery, and make Appeal from the Ordinary to the Dean of the Archies; Afterwards the Case was tryed before the King and His Privy Council, who approved the Act of the Ordinary, and commanded these Parishioners to desist from their appeal; this highly discontented the Puritanical party at present, but far more, when the Archbishop of *Canterbury* in his next Metropolitan Visitation, and the Suffragan Bishops in their respective Diocesses, appointed it to bee every where so placed. But that which more then this vexed that precise, or rather perverse generation, was the toleration which the King by Proclamation (shortly after his Arival from *Scotland*) confirmed for the use of sports and lawful Recreations on the Lords Day, which he did upon very good grounds and reasons; and chiefly upon a Petition presented to him at his coming through *Lanes-hire*, declaring the great encrease of Papists, by reason that lawfull Recreations were not commanded, most of that Countrey consisting either of Puritans or Papists; the first by a strange kind of stricknesse, observing the Lords Day with more then a Judicial Zeal, nor giving the least rest to their servants; who seeing the servants of their Papists Neighbours have the freedom of lawful Recreations; were contented to change their Religion to have some respite from servitude; yet was this by that party cryed up for the greatest impiety that possibly could be, which they bawl out upon by many scandalous and seditious pamphlets, railing against both Church and State, abusing and slandering the Bishops (and sometimes the King himself) in the highest manner that could be, perswading the people that these were but Proems to the bringing in of Popery, and subjecting them again to the Whore of *Babylon*: Nor are they contented here, but their zealous fury carries them to the damning of all lawful and indifferent Sports and Recreations used in the most Reformed Churches; as Dancing, Masking, Stage-plays, &c. They even condemn the Hospitality which ancient custom taught the Gentry of these Nations to use at *Christmas*, and other Festivals. By these Pamphlets (under the pretence of Religion

of Great Britain and Ireland.

5

Religion) they slander both the King and the Hierarchy, that they might the easier draw the people to their Faction.

CHAP. I V.

Of Ship Money, the occasion of Levying it, its Lawfulness, and the Use made of it to incense the People.

ALL these exclamations of theirs could not yet so much incense as to bring them to a Tumult; for the People, especially the vulgar sort, who are more nearly touched when they ly under a perswasion, that their civil Rights are more concerned then their Ecclesiastical; those Dul-heads more respecting profit then Religion, there therefore now happens a business which makes the Puritanic party Cockahoop for those that have a desire to advance themselves, are always glad of any opportunity they can get to render their opposers odious. The usual Guard of ships to the Narrow Seas *The Hollander* (the undoubted Right of the English Monarch) having for want of Moneys been neglected, the Hollander not only usurped the Power over those Seas, but likewise ingrossed the whole Northern Fishing Trade to themselves. And moreover the Turkish *the power of the narrow Seas.* Pirates of *Algier, Tunis, and Sally,* came and dared us in the very Channel, taking many Merchants ships, whereby Trading was extremely prejudiced, and many Englishmen carried away slaves; and how to prevent these inconveniences could not be known: The calling of a Parliament for raising of Moneys sufficient to man out a Fleet for scouring the Seas, being no probable way: Parliaments, and especially the House of Commons, *Turkish pirates.* being now come to that height, as I said before, that let the Exigencies of the Kingdom be never so great, yet they would not raise any Money without being well paid for it out of the Royal Prerogative; so that in time by such incroachments they must necessarily wrest the whole Legislative power over these Nations into their own hands, whereby the King would from a King of England descend to be less than a Duke of Venice, as afterwards indeed it proved. The King therefore consulted with some learned Lawyers, whether they could not a President be found, That the King in the urgent necessity of the Kingdom, might legally raise moneys without a Parliament. Presidents are soon found out by the Kings learned Attorney General Noy, That the King might in time of eminent danger raise Money without a Parliament under the Title of Naval Aid, or Ship Money, for the defence of the Kingdoms Rights from Foreign Enemies; and accordingly by his Advice the King Issues out his Writs first to Maritime Towns who were like to receive most benefit by the Levy, and afterwards to all Towns and Countries in England and Wales, for the raising of Moneys to set out a certain number of ships well mann'd and furnished with Ammunition and provisions, and all other necessities, for defence of the Kingdom: With which Tax the King did not only recover his ancient Right in the Narrow Seas, then so highly questioned by the Hollander, but also very much enriched the Nation, by clearing the Coasts of Pirates, whereby a free and happy Traffick was enjoyed. Yet notwithstanding all the benefits which arrived to the Nation by that Levy, the Factious spirits glad of any occasion, whereby they might render the King odious to the people, pretended it a breach of Civil Rights, and little less than a Tyrannical Act of the King, thus to Levy money without consent of Parliament: And Mr. Hampden of Buckinghamshire, a turbulent person, having refused to pay gathered

Writs for Ship Money.

Exclaimed against.

Hampden refused to pay.

The Civill Warres

*The Judges
conclude it
legall.*

gathered together a tumultuous Crew, and assisted by the Shireff of the County, positively refused to pay. Whereupon the King to avoid differences, and to let the world know that he would do nothing but what should be justified by Law, states the question to twelve of the ablest Judges; Whether, when the good and safety of the Kingdom in general was concerned, and the whole Kingdom in danger, the King might not by Writ under the Great Seal of England, command all his Subjects at their charge to provide and furnish such number of Ships with Men, Money, and Ammunition, and for such time as he shall think fit, for the defence and safeguard of the Kingdom from such danger and peril, and by Law compell the doing thereof, in case of refusal or refractoriness; and whether in such case is not the King sole Judge both of the danger, and when and how the same is to be prevented and avoided. To the legality of all which they positively gave their opinions; (though two of the twelve, viz. Mr. *Huston & Crook* afterwards dissented from what they then had set their hands to) which yet nevertheless would not satisfy those spirits who intended to make this the main wheel of their design, and the chiefest engine to draw away the peoples affections to the King, whom they still endeavoured by scandelous Lybels, to possess with a breach of their Liberties, Priviledges, and Rights, as English-men, to make the action Tyrannical, and to bring an odium upon Monarchy,

C H A P. V.

Both England and Scotland filled with seditious Pamphlets; the Lord Balmerino Arraigned in Scotland, and Prinn, Bastwick, and Burton Censured in England.

And besides those railing Pamphlets against Ship Money here, the Scots grow very high in their Scandals there; they abuse the King with corrupting and suborning Votes in the last Parliament; that he inclined to, and favoured the Papists; that it clearly appeared he intended by degrees to bring in Popery, and to subvert the Protestant Religion; nor are they afraid to publish the same in Print, but this being somewhat too high, the Lords of the Council made strict search after the Author; but he escaping, the Lord *Balmerino* his Abbotor was taken, & brought to Trial; but at length by the too great clemency of the King pardoned, which more encouraged the discontented party in Scotland to abuse his mercy. Some time after which, in England, Mr. *Burton* a Divine, *Bastwick* Doctor of Physick, and Mr. *Prinn* Barrester of *Lincolns-Inn*, are for writing several seditious Pamphlets against the Bishops and the Kings Government, censured in the Star Chamber, and the two first fined each of them five thousand pounds to the King, condemned to lose their Ears in the Pillory, and to be imprisoned; the first in *Lanceston Castle* in *Cornwall*, and the other in *Lancaster Castle*: Mr. *Prinn* having for the same offences been censured in this Court formerly, suffered more then the other two; for besides the Fine of five thousand pounds to the King, he was condemned to lose the remainder of his Ears in the Pillory, to be Stigmatized on both Cheeks with an S for Schismatick, and perpetuall Imprisonment in *Carnarvan Castle* in *Wales*; too small punishment for such seditious spirits, who are the Caterpillars of the State: yet these were the Saints, who in the beginning of the Long Parliament were by their power Released, and brought with an *Hosanna* into London.

CHAP.

CHAP VI.

The Leiturgy sent into Scotland, the Scottish Tumults about it; it is recalled, yet they put themselves in Armes.

IT had alwayes been the care of King James, during his whole Reign, to endeavour a Reformation of the Deformity of the Kirk of Scotland in their Divine Worship, and to bring it in some measure to quadrate with that of the English Church; and so far had he prosecuted his good endeavours, that notwithstanding the perverseness of their natures, he effected the establishment of Bishops amongst them, to the number of thirteen; three whereof received their Sanction from the Bishops of England, and conferred it on their Brethren at their coming home: a High Commission Court was likewise erected amongst them to curb the Presbyterian Spirits; and a Leiturgy likewise composed for their use. And at a General Assembly held at Perth in the year 1618. five Articles were agreed upon to be observed in that Church; (to wit) Kneeling at the reception of the blessed Sacrament, (which the Scots used before to receive sitting on their breeches) that in cases of necessity the holy Communion, and the Sacrament of Baptism might be administered in private houses; that children might be confirmed by the Bishops, according to the Primitive way; and that the Dayes of our blessed Saviours Birth, Passion, Resurrection, Ascension, and the descent of the Holy Spirit might be kept as Festivals; all which were in King James his dayes confirmed by Parliament. Nor was King Charles lesse desirous then his Father to work that uniformity, though he found stronger opposition in it then he imagined, which made the business go on but slowly; yet was there a Leiturgy composed by the Scottish Bishops, and approved of by the English, read in many Churches of Scotland for some years without regret, till the year 1637. Proclamation being made for its publique reading in all the Churches of Scotland on Easter Day, and afterwards respited till Sunday the twenty third of July, that it might be the better countenanced by the Lords then to sit in Session; on the Day appointed the Dean of St. Giles in Edinburgh beginning to read it in the presence of most of the Prelates and Peers of that Nation, a Rabble of the meaner sort of both sexes (who had by the endeavours of the Presbyterian Ministers been brought into an odium of it before it came to be read) began a Tumult, shouting and clapping their hands, that none but themselves could be heard, nor appealed, when the Bishop who was to preach got up in the Pulpit, and minded them of their irreverence in that sacred place; but they took up whatever came next to the hand, throwing it at him almost to his murder; nor did this Tumult cease with the day, for the people being now incensed, were set on more and more by the Presbyters, not only to the taking away of the Leiturgy, but to the utter Extirpation of the Bishops; for when the King by the treacherous advice, and under-hand dealing of Duke Hamilton, the Earles of Traquair, and Roxburgh, and other false servants, had by his Proclamation repealed the Service-Book, yet those who had engaged the people against it, engage them further, and draw them into a solemn Nationall Covenant for the utter Extirpation of Episcopacy, (encouraged likewise by many of the Lords who hoped to share the Bishops Lands) and of whatsoever else they could or would tearm Heresie or Superstition; nor would any thing granted by the King content them, but they will be their

Bishops in Scotland.

A High Commission Articles of Perth.

A Leiturgy

Tumult about it

Nationall Covenant.

own

ty, poss-
the world
the questi-
Kingdom
ight not by
rge to pro-
on, and for
from such
refectori-
nger, and
all which
on & Crook
neverthe-
el of their
ing, whom
Liberties,
nd to bring

erino Ar-
England.
Scots grow
ng and sub-
e Papists;
ubvert the
eing some-
; but he e-
or at length
he discon-
land, Mr.
Lincolns-
us and the
each of
the Pillory,
er in Lan-
Court for-
and pounds
lory, to be
prisonment
s, who are
ning of the
sanna into
CHAP.

The Civill Warres

General Assembly at Glasgow abolish Episcopacy. own carvers ; and at a Generall Assembly called by themselves at *Glasgow*, proceed to the utter taking away of Episcopall power, by their own authority expelling out of that Kingdom the Leiturgy, five Articles of *Perth*, &c. which had been confirmed by Acts of Parliament, and having gone thus far, they resolve to maintain what they had done: The false hopes which *Hamilton* the Commissioner for the Kingdom of *Scotland* continually gave of a pacification, having given them the start of the King, they proceed to the levying of Souldiers, imposing of Taxes, seizing the Kings Forts and Castles; and in summe, to make all fitting preparations for a War.

CHAP. VII.

The King prepares an Army, Declares his Reasons, the Scots Answer thereto.

The Kings Declaration

WE are then now come to the active part of this Story. The King finding that his acts and innumerable concessions of grace to the Scottish Nation were so ill repayed ; and perceiving, that notwithstanding their large and specious pretences for Reformation of Religion, they intended nothing but a down-right Rebellion, and the subverting of his Royall power in that Kingdom, prepares an Army to reduce them by force to that obedience to which he could not periwade them ; and in the mean time publishes his Proclamation, “ To inform his loving subjects of *England*, “ of the seditious practices of some in *Scotland*, that under a false pretext of Religion, “ they endeavoured the overthrow of his Royall Power ; that they had by severall seditious Pamphlets and Libels against Regall Authority endeavoured to advance their “ treacherous designs ; that they had by Letters to severall private persons, and by “ close meetings of their Covenanters in *London*, and other parts of this Kingdom, “ incited his Subjects here from their obedience ; that they had contemned and protested against his Royall Commands ; by rejecting of the Leiturgy, because commanded by him ; by making a Band and Covenant of Conspiracy of their own against “ him ; by their denying to take the Oath of Allegiance and Supremacy, because they “ had taken the Covenant ; lastly, by their hostile preparations ; and all this notwithstanding his many acts of grace, clemency, and indulgence towards them, which “ have found no returns, but remunerated Inolencies ; so that he takes God to witness, that he is constrained by their Treasons to take Arms for the safety of that and “ this Kingdom ; and finally concludes with his resolution to maintain Episcopacy “ there. To this Declaration of the Kings, the Scottish Covenanters return an Answer under the Title of an Ordinance of their Assembly, after a long canting Preamble, declaring their resolutions to proceed, they adde, “ That for doing any harm to *England*, cursed be their breasts if they harboured any such thought ; they therefore implore the good opinion of their Brethren there, and to conclude this War defensive “ on their side, they cite the Law Natural and Civil. It is enough for defence, that “ the offer of offence or just fear of offence go before, as they profess it to be their case “ then, even the defence of God and his Religion. But these fair pretences could not secure them from the brand of Rebellion.

Scots Answer.

CHAP. VIII.

The large Contribution of the English Clergy, Nobility, and Gentry toward this War; Duke Hamilton consents with a part of the Fleet against the Scots, his Treachery.

THis War in regard of their opposition of the Hierarchy, was by the Scottish Covenanters called the Bishops War, and several Libels to that effect published by *The War* that Presbyterian party, branding the Archbishop as the first who gave advice to the King for the raising arms against the Covenanters; which though indeed it might seem somewhat of truth, in regard the Clergy were so highly concerned in it; yet the truth was, that that was only among many others a pretence, for the better vizarding of their Rebellion; which the English Nobility and Gentry being sensible of as well as the Clergy, were no less backward then they in contributing largely, and raising what Forces they could for the Kings assistance; so that in a short time the King had raised a very gallant Army under the command of the Earl of Arundel as General, the Earl of Essex, Lieutenant General of the Foot, and the Earl of Holland of the Horse; and on the twenty seventh of March, 1639. the King himself sets out towards York, the appointed Rendezvous for his Army. Duke Hamilton, notwithstanding those former suspicions had of him caused by those delays wherewith he kept the King from raising arms, was sent before with a good part of the Royal Navy, with five thousand Land Souldiers, & plenty of Corn & Ammunition for the Armies Supply, (with which force he might have utterly ruined the Covenanters) and with Commission to impead the Scots Traffick; but being arrived there, he did nothing but only anchored with his Fleet in the Firth of Edinburgh, keeping secret correspondence with the Rebels, and received a visit from his Mother so strong a Covenanter, that the Scots would brag, Hamilton that the Son of such a Mother could not hurt them, till such time when the Treary began between the King and the Covenanters at Barwick, he repaired thither over Land, and by all means possible endeavoured the patching up of that dishonourable Pacification which then after followed.

Kings Army under the Earl of Arundel.

Hamilton receives a visit from his Mother.

CHAP. IX.

The King advances to Barwick, Views the Scottish Army, Treats with them, and concludes a Pacification.

THe King having Rendezvouzed his Army at York, advances forward, attended by a very Gallant company of Nobles and Gentlemen, who with a great deal of courage and resolution proffered their Service in this Enterprize; and on the twenty eighth day of May arrived at Barwick, in view of the Scots Army, who were before advanced to the Borders; where notwithstanding the former forwardness of the English Lords, their courage was now found visibly to cool, which was imagined by the most to proceed from the tamperings of Roxburgh and Traquair, who met the King at Roxburgh York, where though Roxburgh was secured for keeping correspondence with the Covenanters, and for having told some English Lords, that the ruine of the Scottish Army would enable the King to command more in England then they would be willing to

obey;

B

The Civill Warres

obey; and *Traquair* was likewise secured at *New-Castle* for something to that effect, yet were they both soon after released and sent home, having before their departure, as some affirm, taken caution how to keep intelligence with some English Lords; for it clearly appeared, that the English Nobles, and especially *Holland* Lieutenant General of the Horse, who with a Brigade of as brave Cavalry as ever *England* had, was appointed to attend the Enemies motion, either out of Cowardize or Treachery, ran away for fear of being over-run by a small number of the Scottish Gallowayes: Nor was there less unwillingness in the others to fight, which appeared in their many earnest endeavours with the King to come to a Treaty with the Scots, and desire that his Majesty would not enter *Scotland* by way of Invasion, lest it should more incense them; and indeed there appeared in the King no resolutions other, then hopes by the returne of his coming, to reduce the Scots to obedience; which might be more likely, in that afterwards at *Oxford* some taking occasion to mention *Hollands* Infidelity to the King, he replied; "That if that Army had been in earnest, he would have chosen other

Hollands
cowardize
or treachery

A Treaty
with the
Scots.

Kings Pro.
clamation.

Articles of
Pacification

"Commanders in Chief. So in the end Commissioners were appointed to Treat of a Pacification, the Earls of *Pembroke*, *Holland*, *Salisbury*, and *Bark-shire*, the Secretaries *Vane* and *Cook* on the Kings Party; and the Earls of *Rother* and *Dumfermline*, the Lord *London*, *Douglas*, Sheriff of *Tivdale*, and two Presbyterian Ministers, *Henderfon* and *Johnson*; to these the Scots laid down their desires in writing, which were very modest, and ran thus. "Our desires are only the enjoying of our Religion "and Liberties according to the Ecclesiastical and Civil Laws of the Kingdom; and "to clear by sufficient grounds that the Particulars which we humbly crave are such, we "shall not insist to crave any point which is not so warranted; and that we humbly offer all Civil and Temporal Obedience to your Majesty which can be required or expected of Loyal Subjects, Signed by the Lord *London*. To this it was answered, "That if their desires were only the enjoying of their Religion and Liberties, according to the Ecclesiastical and Civil Laws, the King will most willingly and readily "condescend unto it; and not only agree to the same, but shall always protect them therein. But when they came to Particulars, desiring that all Acts of their General Assembly at *Glasgow* might be ratified in the next Parliament, it would by no means be assented to, but the King by his Proclamation of the seventeenth of *June*, the same day on which the Pacification was confirmed on both sides, declared, "That he could "not condescend to ratifie or approve the Acts of the pretended General Assembly at "Glasgow for many grave and weighty considerations, which happened both before "and since, much importing the security and honour of that true Monarchical Government lineally descended upon him; yet he was pleased to confirm and make "good what ever his Commissioner *Hamilton* had granted, that all matters Ecclesiastical should be determined by Assemblies of the Kirk, and matters Civil by Parliament, which Assembly should be kept once a year. That the sixth of *August* next "should be held a free and General Assembly, where the King himself would be present, and passe an Act of Oblivion, &c. The Articles of Pacification then concluded on were. 1. That the Forces of *Scotland* should be Disbanded, and dissolved twenty four hours after publication of the Kings Declaration. 2. The Kings Castles for Ammunition and Royal Honours to be delivered after the said publication so soon as he should send to receive them. 3. That his Ships should depart presently after the delivery

of Great Britain and Ireland.

11

delivery of the Castles, and in the mean time no interruption of Trade. 4. All Persons, Goods, and Ships detained by the King since the first of November to be restored. 5. That there should be no Meetings, Treatings, Convocations, or Consultations of any of the Scots, but such as are warranted by Act of Parliament. 6. All Fortifications to desist, and to be remitted to the Kings pleasure. 7. That every one should be restored to their Lands, Liberties, Houles, and Goods, and Means whatever, taken and retained from them by whatsoever means since the first of November precedent. These Articles thus concluded on were signed by the Commissioners on both sides; the Scottish Commissioners likewise Signed a Submission, wherein they declared. "That in obedience to his Majesties Royal Commands, they would on Thursday next the twentieth of June dismisse their Forces, and immediately thereafter deliver his Majesties Castles, &c. and should ever in all things carry themselves like humble and Loyal Subjects. And this is the sum of his Majesties first Expedition against the Scottish Rebels.

CHAP. X.

The several Censures upon the Pacification: Omens which happened at the Kings first setting out against the Scots.

THis sudden Pacification, when nothing but a War was expected, was the occasion of severall Censures, according to the severall tempers and inclinations of men, some commended his Majesties Clemency and Mercy in being so willing to conclude a Peace, though upon terms so advantageous to the Scots, rather then endanger the shedding of so much Christian Blood, as in all probability there might have been; but the wiser sort foresaw that this patched up Peace would but encourage the Scots to future Rebellions, (as indeed it did) and make them more ready to attempt any thing upon the Kings good nature, which they found so much inclined to peace and mercy. These therefore blamed the Kings too great condescensions, and condemned him in that when he had so gallant an Army, filled with the Flower of English Nobility and Gentry, and who went at first so willingly, he delay'd time so long, giving the Scots opportunity to tamper with the Nobility, and the English spirits time to cool, and did not at first fall upon them, and crush this Rebellion in the Egg shell; for in all probability he could not doubt of an assured Victory; the English Army far exceeding the Scots both in quantity and quality, the Scots having very few Horse, and their Foot raw and ill armed. The English had as brave an appearance of Cavalry as could be desired, and ther Foot lusty and well appointed; and indeed had his Majesty taken this course, hee might by subjugating the Scots have prevented their future designs, and their after Covenanting with his Subjects of England, and consequently his own ruine; but providence was pleased to order things otherwise. At his Majesties first going out against the Scots, there hapned a very strange accident, which hath both then and since been interpreted for an ill Omen: and though I am not over fondly given to such superstitions, yet I think it worthy the recital; A Statue there was of the Kings Majesties, graved by the excellent hand of Cavalier *Bernino* at *Rome*, a person who had never seen the King, but had done it by some draughts of *Vandicks* excelling *Pencill*, and so much to the

The Civill Warres

the life, that it exceeded imitation: This Statue stood in a room in the Kings store-yard at *Greenwich*, when being at his Majesties first going out against the Scots, ordered to be removed, and carried into the Queens buildings then near finished; in the way thither, a Bird (some affirm a Swallow) flying over it dinged in three places upon the face of the Statue, which dung immediately converted into three drops of Blood, never yet to be gotten out or cleaned. But more ominous then this were those words of Cavalier *Bermio*, an excellent Physiognomist as well as Carver, who having those draughts sent him from *Vandike*, and not being at all informed whose face it was, he told the Messenger that brought them, that he was certain the Person which those represented, was born to great honour, and as certainly to as great misfortune. The falling of part of the Wall of *Edinburgh Castle* on the Kings Birth-Day, sometime before his second going thither, was by the Covenanters likewise believed an Omen of the Kings ill success against them, in regard it was the Kings Castle & store for Arms and Ammunition in that Kingdom: However whether an Omen or no, they made good use of the occasion; for they would not permit the Lord *Estrich*, Collonel *Ruthven*, and the Governor who had especial Order from the King for its Reparation, to carry in any provision of necessaries to effect it. But to proceed.

CHAP XI.

How ill the Scots kept the Articles of Pacification.

The Scots break the first Article of Pacification. And the second and sixth. And the fifth.

THE Scots to make it appear to the world, that notwithstanding their large pretences for Religion and Liberty, they intended nothing but down-right Rebellion, notwithstanding the King had condescended to those Articles of Pacification so highly advantageous to them, yet either never intended, or at least soon fell from their intentions of keeping them; for no sooner had the King Disbanded his Army, but the Scots openly protest against the Pacification, in very scandalous and dishonourable terms abusing both it and his Majesty, and not only so, but they publish a seditious Paper, entituled, "Some conditions of his Majesties Treaty with his Subjects of *Scotland*, before the English Nobility, are set down here for remembrance. So false and scandalous, that it was after by the Kings especial Proclamation, burnt by the hand of the common Hang-man: nor did they, notwithstanding of their serious promises in their submission, and the first Article of the Pacification, disband their Forces; for though some to colour the rest they dismissed, yet several bodies were kept still in being, and all their Officers in pay; the Fortification at *Leith* they continued still fortified and ingarrisoned by themselves, contrary to the second and sixth Articles; nor did they after the time limited was expired, forbear to keep and continue their former Tables of unlawful Councils and Meetings, derogatory to the Kings honour, and contrary to Articles. Moreover enforcing the Subjects to subscribe to whatever was concluded on in their late Assembly at *Glasgow*, though contrary to the Kings Proclamations and so far were they from restoring those who had favoured the King to their Liberties, Lands, Houses, Goods, and Estates, which had violently been taken away from them by these Covenanters, that instead thereof they branded them with the aspersions of Incendiaries and Traytors to God and their Countrey, enforcing them to pay Taxes above others for the

of Great Britain and Ireland,

13

the payment of their Army. In summe, so unworthy were they to him who had been so gracious to them, that indeed not one Article of the Pacification which they kept, nor any wayes or means, though never so false or scandalous, did they let slip, whereby they might bring so gracious a King into disgrace or odium of the people.

CHAP. XII.

The Scots General Assembly and Parliament, their Actions, the Parliament Prorogued.

THE time drawing nigh for the meeting of the General Assembly, according to the Kings Declaration at the time of the conclusion of Pacification, they met on the sixth of August; but the King notwithstanding his promise in his Declaration to be present in this Assembly, yet observing the stubbornness of the Scots, thought it better for him to go home, then to be there to see himself and his Royal Power affronted. This General Assembly being late, immediately proceed to confirming whatever had before been agreed upon by their General Assembly at Glasgow, (*viz.*) the utter Extirpation of Episcopacy, the abolishing of the five Articles of Perth, the High Commission, the Liturgy, and Book of Canons, all which proceedings of theirs are approved of and consented to by the Kings Commissioner; and all this they did in eighteen dayes, for they sat but till the twenty fourth of August, on the last of which month the Parliament who were to have sat on the twentieth, according to the Kings Declaration, but were prorogued, convened; and in regard the General Assembly by the abolishing of Episcopacy had utterly taken away one of the three Estates in the Kingdom, they were first of all to seek how to chuse the Lords of the Articles, which in regard by Act of the General Assembly the Bishops power was taken away, they could not legally do; for the Lords of the Articles were thus chosen. The King first having nominated eight Bishops, those eight Bishops elected eight Noblemen; and those eight Noblemen chuse so many Barons; these so many Burgesses: and all of these in number thirty two, with eight Officers of the Crown, made up a select Committee of forty, whose business it was to prepare things for the Parliament, and had been a custome used in that Nation for near three hundred years, and were alwayes called Lords of Articles. But now this ancient custome must by reason of the abolishing of Bishops be altered, and this Scottish Parliament at their first sitting make an Act, that nothing done in that Parliament should be valid except it were so; yet this was upon the motion of the Earl of Traquair, Commissioner for the King, granted, that not to prejudice his Majesty in his Right, he should now have the Election of eight Noblemen in stead of the eight Bishops, which formerly he used to nominate; but that for the future every State should chuse their own Commissioners. Thus at first dash they confound the first estate of that Kingdom; *viz.* The Bishops, which all the Kings of Scotland had been so zealous to preserve; and which they had in Parliament, and particularly in the eighth Parliament of King James the sixth, declared it high Treason to impugn. Having done this, they proceed to the Act of Oblivion; but instead of that they urge, that an Act for Justification of all their actions might be recorded in Parliament; which done, procession is made of high demands from them to the King; That the Coin, a Prerogative solely peculiar to the Crown, should not be meddled withall but by advice of

The General Assembly confirm the Decrees of the Assembly of Glasgow. The Assembly closed, and the Parliament sit.

Lords of the Articles.

Act of Justification. Other high demands.

The Civill Warres

of Parliament; that no Forreigner should have command of their Castles; no honour granted to any stranger, but such as had a competent Estate in *Scotland*, (contrary to what both the King and his Father by his gracious favour had granted to them in *England*) and that no Commissioner of Justiciary or Lieutenancy should have power but for a limited time. They likewise protest against the precedence of the Lords Treasurer and Privy Seal; which Exorbitances the King having notice of, and perceiving that under a veil of Reformation of abuses they intended the eclipse of his Royal Power, if not its utter abolition, and to model a new Government, thought it high time to stop such Antimonarchical proceedings, to which purpose speedy order is in the Kings name given to the Earl of *Traquair* to prorogue their sitting until the second of June then next ensuing.

The Scots
Parliament
prorogued.

CHAP. XIII.

The Scottish Parliament protest against their Prorogation, send Deputies into England, Loudon accused for penning a Letter from the Covenanters to the French King, and Imprisoned.

Deputies
from Scot-
land.
Return'd
without au-
dience.

THE Earl of *Traquair* according to his Duty acquaints the Parliament with the Kings Command for their Prorogation, whereupon they immediately protest against it, affirming it to be invalid, and of no force, and without President, that the Commissioner should by a private Warrant prorogue the sitting of a Parliament: Yet for the present they were resolved to make Remonstrance to his Majesty, and that some of each estate should remain still at *Edinburgh* to attend his answer. They likewise send the Earl of *Dumfermline*, and the Lord *Loudon*, as their Deputies to the King in *England*; but they coming without warrant from the Kings Commissioners, were the first time returned without audience; after which they returned with two more, viz. Sir *William Douglas*, and Mr. *Robert Barkley* of *Durryn*, these present the King with an humble Petition, expressing their hearty thanks with their humble desires, praying that they may be further heard in the presence of the King himself, which being granted, *Loudon* makes a Speech, declaring, "That the Parliament of *Scotland* was independent to any Court of Judicature, justifying the Transactions of the Assembly and Parliament; That they were according to the Articles of Pacification, and Laws, and Customs of that Nation; and therefore they desire a Ratification of their proceedings, and that the Parliament might go on to determine of all Bills for settlement of Religion, Peace, &c. Having finished his Speech, their Commission is examined by the Council, and found not at all obligatory to those that sent them; yet a Paper is produced, authorizing *Dumfermline* and *Loudon*, which in regard by the reason of their Parliament not sitting, they could procure no other, was accepted; and after they had still hammered upon the foresaid requests, their Treasons are lumped up to them, and a Letter produced by the King, wherein they demanded aid of the French, and endeavoured to invade these Kingdoms with a Forreign Enemy. This Scots Letter, though written by a secret Junctio of theirs, and kept as privately as possibly to the King could be, yet came, I know not how, to the Kings hands; began in French thus, of France. *Sire, Vostre Majesté estant l'Asile & Sanctuaire des Princes & Estates affligés, &c.* in English

of Great Britain and Ireland.

85

English thus, "Sir, Your Majesty being the Refuge and Sanctuary of afflicted Princes and States, we have found it necessary to send this Gentleman Mr. Colvill, to represent to your Majesty the Candor and Ingenuity as well of our actions and proceedings, as of our intentions, which we desire to be engraven and written to the whole world with a beam of the Sun, as well as to your Majesty; we therefore most humbly beseech you Sir to give faith and credit to him, and all that he shall say on our part touching us and our affairs; being assured Sir of an assistance equal to your wonted Clemency heretofore, and so often shewed to this Nation, which will not yield the glory to any other whatsoever, to be eternally your Majesties most humble, most obedient, and most affectionate Servants, *Robts, Montrose, Lesly, Marr, Montgomery, Loudon, Forrester*. This letter was indorsed, *au Roy*, to the King, which was an owning of the King of France for their Sovereign, and as high a derogation of his Majesties Honour and Power as possibly could be. In excuse of this the Scots alledge, that this Letter was writ in the depth of their necessities; that when a people is distressed, 'twas lawfull both by the Laws of God and Man, to call for assistance from God & Man; that they never had any intentions to call in a foreign aid against their native Prince, but only considering the condition they were then in, (a Fleet out at Sea against them, an Army marching towards them by Land, their actions and intentions misrepresented to Foreign Princes) they thought fit to write that Letter to the French King, lest by some sinister misrepresentation of their actions, his Forces might have been employed against them; that the Letter it self was never sent, as might appear by its wanting a Date; and as for the Superscription, *au Roy*, it was never done by them, but written by some enemy of theirs after it was got out of their hands; that however the said Letter was written before the Pacification made at *Barwick*, and therefore ought not now to be questioned. Notwithstanding all which the King consults with his Council whole the Character of that Letter should be, and they all at last agree, that it was the Lord *Loudons* hand; whereupon he is secured, and committed Prisoner to the Tower.

*The Scots
defence for
the Letter.*

*Loudon
imprisoned.*

CHAP. XIV.

The Lord Wentworth Lieutenant of Ireland called home, and created Earle of Stafford; a Parliament in England and Ireland resolved on, and a War with Scotland.

These strange Insolencies (I think I may without partiality call them Treasons) of the Scots Covenanters, caused the King to call over that absolute States-man, the Lord *Wentworth* Lieutenant of Ireland, whose judgement as it exceeded most mens in State Affairs, so was his Counsel much prized by the King; soon after his arrival he was created Earle of *Stafford* in the County of *Tork*; the reason of his calling over was, for that the King no longer able to comport the Affronts and Indignities put upon him by the Covenanters, and particularly their insolence in not permitting *Edinburgh Castle* to be repaired, though he had given such especial Orders about it, deliberates now to bring them by force to a better compliance; but to consult with the whole body of his Privy Counsel he thought not fit, nor being insensible that some of them kept secret correspondence with the Presbyterian Scots; he therefore selects the Arch-
bishop.

Juncto of bishop, Lord, Lieutenant of Ireland, and Duke *Hamilton*, wholly excluding from the Council, this debate chose hunting Lords, (as the Archbishop is said to have named them) *Pembroke*, *Salthbury*, *Holland* &c. though it was esteemed by many, that he had better have advised with those, and have excluded *Hamilton*, who was worse then all of them. This *Juncto* being met, and the King having given the reason of their convention, which was to advise of the Evils then depending, and to consider a prevention e're such businesses should passe beyond remedy, he gave his opinion, that the only way in his judgement would be by calling a new Parliament in *England*, with whose consent & assistance things might be brought to a better passe. This judgement of the Kings was not only highly applauded by the Lord Lieutenant of *Ireland*, and Archbishop of *Canterbury*, but by them confirmed into a resolution. They likewise concluded of a Parliament in *Ireland*, which should so long precede this in *England*, as that the Lord Lieutenant of *Ireland* might be both at that and this too; but in regard that when this Parliament was called, it might be a good while before any Subsidies could bee raised, and the Scots being before hand with the King, it would be necessary to have some present supply of Monies, lest for lack of it the business might be ruined; The Lord Lieutenant of *Ireland* proposed to the King, that in the interim they would engage their credits for some present advance, and accordingly himself subscribed twenty thousand, wherein he was followed by the Duke of *Richmond*: And most of the Nobles either out of real zeal to the Cause, or out of a shame to be backwarder then the rest, subscribed according to their abilities, some few only refusing, and particularly Duke *Hamilton*, who pretending poverty, subscribed not at all; as for the Judges of the Law, & their Officers and Dependants, they were not desired willingly to lend but assisted according to the benefit of their places by the Lords of the Privy Councils but of all the Popish Recusants were most free of their loans, for the Queen finding the necessities of the Kingdom to be then so great, appointed Sir *Kenelm Digby*, and Mr. *Walter Montague* to negotiate with the Roman Catholiques for a Contribution for the Kings supply, which they yielded to (some say even beyond their abilities) with a great deal of chearfulness and alacrity. During these Transactions, on the tenth of January 1639.

Subscriptions by the Juncto.

Hamilton pleads poverty, and subscribes not.

Sir Thomas Coventry dyes.

Succeeded in his Office by the Lord Finch.

died Sir *Thomas Coventry*, who had for fifteen years been Lord Keeper of the Great Seal of *England*, which place he had according to the testimony of most men officiated all that term of years with an unspotted integrity and uprightness. To him succeeded in that Office the Lord *Finch* of *Forditch*, Lord Chief Justice of the Common Pleas, who having during his being in that Office given his hand for raising of Ship Money, and been very active in promoting its Leavy, fearing afterwards to be called to an account by the long Parliament, thought it better to fly beyond Sea, then stand to the trial of such mercilesse Judges.

CHAP. XV.

Staffords return from Ireland, the Parliament of Englands proceedings, and Dissolution, the Convocation sits still.

THE Lord *Stafford* according to the determinations of the *Juncto* of the Privy Council before spoken of, departed immediately into *Ireland*, where he summons a Par-

of Great Britain and Ireland.

17

a Parliament, and that with such good success, that he obtains of the Irish a grant of four Subsidies for the maintenance of ten thousand Foot, and fifteen hundred Horse; & all this with so great expedition, that he returns again before the English Parliament sate, which was to convene on the thirteenth of *April*, on which day the Houses sitting, the Earl was conducted into the House of Lords by two Noblemen, to whom he gives an account of his good success in the Irish Parliament: Seeming to hint, that he hoped the English would not be more backward in their supplies, soon after the King sends to the House of Lords the Letter of the Scots Covenanters to the French King; that the Lord *Loudon* had confessed it to be his hand, that besides the Scots had committed very high and intolerable insolencies against his person and Authority, which he could no longer in honour comport, and therefore desires a very quick and speedy supply of Money for the reducing them to obedience perforce; and that if they would now supply his occasions, he would for ever acquire his Title of Ship money: But the House of Commons knowing the Kings urgent necessities, are as urgent for the redress of Grievances, which they pretend to be the chief end of calling a Parliament, and therefore to be first debated. They therefore desire to be assured in these three particulars, *Grievances*, before they would grant any supply of Money. First, for securing the property of the Subject, Secondly, for establishing true Religion; and thirdly, for privilege of Parliament. Long was this difference debated in both Houses, whether the Kings supply, or the Subjects sufferings should proceed in consideration; at length the House of Lords Vote for the King, but the House of Commons still persisted in their opinion, that the Subjects sufferings should first be relieved; how ever at last it came to the question what supply the King desired. Secretary *Vane* had order to demand six Subsidies, but contrary to his order he tells the House of Commons, (some have believed out of design) that twelve Subsidies would serve the turn; which so angered the House of Commons, that they should give twelve Subsidies to maintain a Civil War, (for so the Lord *Digby* in his speech made it) which the Nation were so averse to, that they had rather *deduct* contrary give it to let it alone. That they should for such a summe not be permitted at all to order redress Grievances, but only the Kings release of his Right and Title to Ship Money, The Parliament in which they judged him to have none: That they were about that morning to have ment about passed a Vote against the War with *Scotland*; to which they were so much averse, which to passe the King hearing, came immediately in Person, and on the fifth of *May*, after two and twenty dayes sitting, dissolved them, yet notwithstanding the dissolution of this short-lived Parliament, the Convocation of Divines still continued sitting, and by the Kings with Scotland power made many Canons tending to the Settlement of Religion, and the confirmation of the Church; though the lawfulness of their sitting was then made doubtfully, and afterwards (upon what grounds I know not) unlawful by the Long Parliament; for though the Convocation of Bishops usually did dissolve with Parliaments, yet there appeared no great reason why they should do so, (the King Writs not at all limiting them to break up with the Parliament) much less justice was it, that they should be punished (as afterwards they were) for not so doing; however had it been so, yet they sate upon a new Commission granted them, the difference betwix which Commission and the Writs being examined by *Finch, Manschester, Lisleton, Banks, Heath, and Sheffield*, all able Lawyers, they gave it in their opinions, "That the Convocation called by the Kings Writ was not to dissolve, but by the Kings Writ, notwithstanding the dissolution

The Civill Warres

of the Parliament. Yet notwithstanding they still sat in such danger (*Lilburns Libels* having so incensed the people against them) that they were in continual fear to be pulled out by the tumultuous Rabble; in so much that the King was forced to place a Guard upon *Westminster Abbey* where they sat. Among other things which this Convocation did, was the imposing that Anti-Covenant Oath (as one calls it) for defence of Hierarchical Church-Government: the form of which was thus.

The Oath
imposed by
the Convoca-
tion.

A Canon
for railing
the Commu-
nion Table.
And for
bowing to-
wards the
East.
The clergy
grant a Be-
nevolence to
the King.

"*I. A. B.* do swear, that I do approve the Doctrine and Discipline of Government e-
"stablished in the Church of England, as containing all things necessary to salvation;
"and that I will not endeavour by my self, or any other, directly or indirectly to bring
"in any Popish Doctrine, contrary to that so established; nor will I give my consent to
"alter the Government of this Church, by *Archbishops, Bishops, Deans, and Archdeacons*
"or as it stands now established, and as by right it ought to stand; nor yet ever to
"subject it to the Usurpations and Superstitions of the See of Rome. And all these
"things I do plainly and sincerely acknowledge, and I swear according to the plain and
"common sense and understanding of the same words, without any Equivocation; or
"mental Evasion, or secret Reservation whatsoever; and this I do heartily, willingly,
"and truly upon the Faith of a Christian, to help me God in Jesus Christ. This is
"the form of that Oath, which by so many ignominious Libels was carped against, and
"made odious to the common people; This Convocation (or Synod, as some men have
"been pleased to term it) likewise made a Canon, ordering the situation of the Commu-
"nion Table at the East end of the Church, and that it should be severed by Rails, to
"prevent its profanation: They likewise permitted, to such as thought good, the using
"that ancient custom of bowing towards the East, yet they restrained no one from omit-
"ting it; yet were both these cried up as acts of an unparallel'd superstition; and ere these
"rules were confirmed and ratified by the King, they granted him a Benevolence in as-
"sistance and supply in his intended War against the Scots, which was accounted the great
"Bug-bear of all the rest of their actions, and cried up to be, "An act of very high pre-
"sumption and usurpation of the preeminence of Parliament, no Convocation having
"power to grant any subsidies or aid, without confirmation of the Lay Senate. But
"whether it labour either of Law, Justice or Equity, that men may not have liberty
"to dispose of their own, I leave to the Reader to judge. The convocation having done
"thus much, on the twenty ninth of May brake up.

CHAP. XVI.

The Insurrection of the Apprentices; the King advises with a Junctio of his Councell about the Warre with Scotland.

During the sitting of the Convocation, the good Archbishop of *Canterbury* is looked upon by the popularity as the chiefest furtherer of their (so termed) designs, and therefore made the object of the Plebeian Revenge; towards the effecting of which, a paper is posted upon the Royal Exchange in *London* the ninth of May, encouraging the Apprentices to rise and sack the Archbishops House at *Lambeth* on the Monday following, which they were ready to perform; for on the night appointed about twelve of the Clock near five hundred beset his house, and used their utmost endeavours

to enforce their entrance, but were repulld by a power provided (upon the warning *The Archbishop* given to the *Archbishop*) to oppose their violence, and defend himself; many of the *bishops house* Assaulters were the next day found out and imprisoned in the *White Lion*, but within assaulted. three dayes after some others of the same deluded temper came openly in the day time, *Some of the* forceably broke open the prison, and set them at liberty, one of the chief Ring-leaders assaulters of these being taken, was at the Sizes at *Southmark* tried, and condemned to be hanged, taken. drawn, and quartered; which death for example sake he suffered, his Limbs being set *Forceably* upon *London Bridge* for a terrour to others; and though indeed it terrified them for the *set free by a* present from further acting, yet it stilled not their tongues nor pens, the last of which in *Rabble*. numerous Pamphlets blurted forth innumerable Calumnies against the *Archbishop*, *Their Cap-* terming him the murderer of their Captain who was hanged, when he had no hand at *tain hang'd*, all in his death, but only the Law freely had its course. Thus did the English now be- *drawn, and* gin to act in the same tumultuous manner as the Scots had done, who first shewed them *quartered*. that pattern of Rebellion which they afterwards so exactly followed. These tumults, and the Scots continued insolencies heightened the Kings resolutions to chastise that Nation into better obedience; for certainly he could not but find his clemency to them had encouraged his English Subjects to act in the same manner as they had done; and sensible he was that many factious spirits of the late dissolved Parliament emboldened the *The Mem-* common people in those Tumults and Disorders which were the first beginnings of the *bers of the* War; yet he found himself (by reason of the refractoriness of that Parliament, and their *late Parlia-* denials of Supplies of Moneys, the Sinews of War) almost uncapable to prosecute his *ment heigh-* quarrel against the Scots; he therefore summons a Juncto of his Privy Council, con- *ten discon-* sisting of the *Archbishop of Canterbury*, the Lord Lieutenant of Ireland, the Marquess *sents*. of *Hammilton*, the Earl of *Northumberland*, the Lord Admiral, the Lord *Cottingham*, *A Juncto of* and Secretary *Windebank*, nor was Secretary *Vane* conceived so untrusty as to be left *the Council*. out, though he here took such notes of their debates, as afterwards by the help of his son, were the chiefeft causes of the cutting off the Earl of *Strafford*. These generally *Advice to* advise him to an offensive War, shewing the King many essential reasons, That a de- *an offensive* fensive War would only heighten the Covenanters in their demands, and encourage *War*. their Faction in *England*: That by an offensive War he might easily ruine them, upon whose help and policy the factious spirits in *England* chiefly relying; that effected, these would easily be brought to a compliance; that the delay of time both strengthen the Scots there, and their party here. But how money should be had to undertake this War, was the next, and indeed the main point to be debated. To call a Parliament for effecting it, besides the tediousness of it, would likewise in the end prove vain and ineffectually, as experience had already taught; for indeed as the Lord *Cottingham* then alledged, the Lower House were weary both of King and *Church*; other wayes there were then to be considered for the raising Moneys, advice is given, that the collection of Ship Money should be rigorously put forward; and that a loan of an hundred thousand pounds should be desired from the City; which was done, but the Londoners pleading poverty for want of Trade, (whereas they had for near forty years enjoyed to free a Trade, as scarce any City in Christendome had done) refused; the Commission of Array was likewise to be put in execution, and indeed every string of the Royal Prerogative to be stretcht, such straits and necessities was the King then driven to; yet in the end he made shift to raise an Army, but so late, that the Scots were before-hand with him.

The Civill Warres

CHAP. XVII.

The Duke of Gloucester born, the Scots Army advance, the King Marches towards; and Proclaims them Traytors; the Lord Conways defeat at Newburn, Hadington blown up at Dunglas.

*The King
advances
Northward*

*The Lord
Conway
routed.*

For though the King by the help of those Knights and Gentlemen, who held Land in Capite from him, had now raised a considerable force; yet were the Scots advanced with a potent Army towards the Borders, which made him hasten his Supplies towards York, the place appointed for his general Rendezvous; of the Royal Army the Earl of Northumberland was appointed *Generalissimo*, and the Earl of Strafford Lieutenant General; but the former falling sick, was incapacitated to follow his charge, so the King took it upon himself. This Invasion of the Scots welcomed into the world the Illustrious Prince Henry, fourth Son to the King, who was born on the eighth of July, and by his Majesties command called Duke of Gloucester. On the twentieth of August following the King leaves London, hastening to his Rendezvous at York, and on the two and twentieth publishes a Proclamation to this effect, "That he had by all wayes of mildnesse and clemency endeavoured to appease the rebellious courtes of his Subjects in Scotland, who under pretences of Religion had sought to shake off his Regal Government, and did now take Arms, and invade his Kingdom of England; and therefore he did declare that all those who had already entered, or should presume in a warlike manner to enter any part of England, should be adjudged, and were thereby denounced Rebels and Traytors against his Majesty: However if they would yet acknowledge their former crimes, and crave pardon, and yeeld obedience for the time to come, he tendered them his gracious pardon, they retiring home, and demeaning themselves like Loyal Subjects for the future, &c. Yet neither these threats nor gracious offers wrought at all with the Scots, but they still marched forward in an hostile manner, the effects of which the King heard of when he came to North-Alerton, where the Lord Conway brought him news, that he having on the twenty seventh of August drawn out twelve hundred Horse, and three thousand Foot to impede the Scots passage over the River Tyne near Newburn; having lodged his Foot behind a Breast-work, to gall the Enemy in their passage, Lesly having advice thereof by his Scouts, had in the night time planted nine Piece of Ordinance on the other side, just over against the Breast-work, and blinded them with bushes from the sight of the English. In the morning following Lesly sends a Messenger to the Lord Conway, desiring leave to passe with a Petition to his Majesty; to which answer was returned, that he might have liberty to passe with a few, but not with his Army; upon which Lesly commands three hundred Horse to ford the River, which they did, but were soon forced to retire by the Musquetreers behind the Breast-work: which Lesly perceiving, played so furiously upon it with his Cannon, that those fresh Souldiers unaccustomed to such sport, soon forsook their Poast, threw down their Arms, and ran away; whereupon the Scottish Cavalry readvanced upon Mr. Wilmot Commissary General of the Horse, who, accompanied with a gallant company of English Gentry, stood the charge of the Scottish Horse and Cannon too, till over-powred by numbers, they were forced to retire in disorder with the losse of three hundred slain or taken; which the Lord Conway perceiving, hastens his Retreat towards the King: whither when he was come, he was

by

of Great Britain and Ireland.

by the Earl of *Strafford* (who brought up the Rear of the Army, and was upon this loss retreated to *Tork*) accused either of Cowardize, or Treachery, or both, though he stoutly strove to defend himself. The Scots having gained the Pass over the *Tyne*, marched directly towards *Newcastle*, which became unfortified, and not tenable against an Army, Sir *Jacob Ashley* the Governour having first sunk the Canon in the River, deserted; which the Scots immediately possessed, and two dayes after likewise Engarrisoned *Durham*. Whilst the Covenanters prospered thus in *England*, the English Garrison at *Barwick* having had advice, that General *Lesly* had left some peeces of Cannon at *Dunce*, (which were more then necessary for his Train) issued out and possessed themselves of them; but the Earl of *Haddington* commanding in *Lothian* and *Merse*, taking the Alarm, pursued the English with about two thousand Horse and Foot, and after a short Skirmish rescued them, and carried them to *Dunglas*; where the next day he with about twenty more Knights and Gentlemen coming out just after dinner into the midst of the Courte, they were by the stones which flew out of a Vault (some twelve score from his Lodgings, where a good quantity of powder being kept, whether by plot or accident never known, had on a sudden taken fire) every man of them slain.

The English attempt the taking of some Cannon at Dunce.

CHAP. XVIII.

Three Scottish Petition, Answer, and Demands; the Petition of the eleven Lords, and of the City of London; the Peers meet at York, the long Parliament resolved on.

THE Scots having now seated themselves in *Newcastle*, where they found good provisions, and better entertainment then they enjoyed in their own cold Country, think themselves well provided for the present, and therefore think it fit to stay there till they send a petition to the King, which they entitle, "The humble Petition of the Lords in the last Parliament, and other his Majesties Loyal Subjects of *Scotland*. Herein they in the generall complain of their Grievances, for relief of which they were now constrained to come without prejudice to the peace of *England*, or any of the Subjects therein, until they pressed with strength to oppose their passage at *Newburn*; that now they presented themselves to his Majesties goodness for satisfaction of their full demands, and repair of their wrongs and losses, with the advice of the Parliament of *England* to be convened. The King by the Earle of *Linrick*, his Secretary for *Scotland*, on the fifth of *September* returns an Answer, that he expected their particular demands, and that he had already summoned his Peers at *Tork* on the twenty fourth of *September*, commanding them to advance no further. Three dayes after they return their answer to the Earle, telling him, "That as there was nothing in the world more desired by them then his Majesties favour, so they should desire nothing but what should suit with his Majesties honour and peace of his Dominions; That they should have expressed their desires particularly in their Petition, but that they had before done so in the printed Declarations; however they now recite the summe of them. First, "that the late Acts of Parliament might be published in his Majesties name with the states of Parliament. That *Edinburgh* Castle, and other strengths in *Scotland* might be fortified and used for their defence. That their country-men in *England* and *Ireland* might not be forced to Oaths and Subscriptions contrary to their National oath

The Scots desire.

"and

The Civill Warres

CHAP. XVII.

The Duke of Gloucester born, the scots Army advance, the King Marches towards, and Proclaims them Traytors; the Lord Conways defeat at Newburn, Hadington blown up at Dunglas.

*The King
advances
Northward*

*The Lord
Conway
routed.*

For though the King by the help of those Knights and Gentlemen, who held Land in Capite from him, had now raised a considerable force; yet were the Scots advanced with a potent Army towards the Borders, which made him hasten his Supplies towards *Tork*, the place appointed for his general Rendezvous; of the Royal Army the Earl of *Northumberland* was appointed *Generalissimo*, and the Earl of *Strafford* Lieutenant General; but the former falling sick, was incapacitated to follow his charge, so the King took it upon himself. This Invasion of the Scots welcomed into the world the Illustrious Prince *Henry*, fourth Son to the King, who was born on the eighth of *July*, and by his Majesties command called Duke of *Gloucester*. On the twentieth of *August* following the King leaves *London*, hastening to his Rendezvous at *Tork*, and on the two and twentieth publishes a Proclamation to this effect, "That he had by all wayes of mildnesse and clemency endeavoured to appease the rebellious courtes of his Subjects in *Scotland*, who under pretences of Religion had sought to shake off his Regal Government, and did now take Arms, and invade his Kingdom of *England*; and therefore he did declare that all those who had already entered, or should presume in a warlike manner to enter any part of *England*, should be adjudged, and were thereby denounced Rebels and Traytors against his Majesty: However if they would yet acknowledge their former crimes, and crave pardon, and yeeld obedience for the time to come, he tendered them his gracious pardon, they retiring home, and demeaning themselves like Loyal Subjects for the future, &c. Yet neither these threats nor gracious offers wrought at all with the Scots, but they still marched forward in an hostile manner, the effects of which the King heard of when he came to *North-Alerton*, where the Lord *Conway* brought him news, that he having on the twenty seventh of *August* drawn out twelve hundred Horse, and three thousand Foot to impede the Scots passage over the River *Tine* near *Newburn*; having lodged his Foot behind a Breast-work, to gale the Enemy in their passage, *Lefly* having advice thereof by his Scouts, had in the night time planted nine Piece of Ordinance on the other side, just over against the Breast-work, and blinded them with bushes from the sight of the English. In the morning following *Lefly* sends a Messenger to the Lord *Conway*, desiring leave to passe with a Petition to his Majesty; to which answer was returned, that he might have liberty to passe with a few, but not with his Army; upon which *Lefly* commands three hundred Horse to ford the River, which they did, but were soon forced to retire by the Musqueteers behind the Breast-work: which *Lefly* perceiving, played so furiously upon it with his Cannon, that those fresh Souldiers unaccustomed to such sport, soon forsook their Post, threw down their Arms, and ran away; whereupon the Scottish Cavalry readvanced upon Mr. *Wilmot* Commissary General of the Horse, who, accompanied with a gallant company of English Gentry, stood the charge of the Scottish Horse and Cannon too, till over-powered by numbers, they were forced to retire in disorder with the losse of three hundred slain or taken; which the Lord *Conway* perceiving, hastens his Retreat towards the King: whither when he was come, he was

by

of Great Britain and Ireland.

by the Earl of *Sirafford* (who brought up the Rear of the Army, and was upon this losse retreated to *Tork*) accused either of Cowardize, or Treachery, or both, though he stoutly strove to defend himself. The Scots having gained the Pass over the *Tine*, marched directly towards *Newcastle*, which becaule unfortified, and not tenable against an Army, Sir *Jacob Asbley* the Governour having first sunk the Canon in the River, deserted; which the Scots immediately possessed, and two dayes after likewise Engarrisoned *Durham*. Whilst the Covenanters prospered thus in *England*, the English Garrison at *Barwick* having had advice, that General *Lesly* had left some peeces of Cannon at *Dunce*, (which were more then necessary for his Train) issued out and possessed themselves of them; but the Earl of *Haddington* commanding in *Lothian* and *Merse*, taking the Alarm, pursued the English with about two thousand Horse and Foot, and after a short Skirmish rescued them, and carried them to *Dunglas*; where the next day he with about twenty more Knights and Gentlemen coming out just after dinner into the mid st of the Court, they were by the stones which flew out of a Vault (some twelve score from his Lodging, where a good quantity of powder being kept, whether by plot or accident never known, had on a sudden taken fire) every man of them slain.

The English attempt the taking of some Cannon at Dunce.

C H A P. XVIII.

Three Scottish Petition, Answer, and Demands; the Petition of the eleven Lords, and of the City of London; the Peers meet at York, the long Parliament resolved on.

THe Scots having now seated themselves in *Newcastle*, where they found good provisions, and better entertainment then they enjoyed in their own cold Country, think themselves well provided for the present, and therefore think it fit to stay there till they send a petition to the King, which they entitle, "The humble Petition of the Lords in the last Parliament, and other his Majesties Loyal Subjects of Scotland." Herein they in the generall complain of their Grievances, for relief of which they were now constrained to come without prejudice to the peace of *England*, or any of the Subjects therein, until they pressed with strength to oppose their passage at *Newburn*; that now they presented themselves to his Majesties goodness for satisfaction of their full demands, and repair of their wrongs and losses, with the advice of the Parliament of *England* to be convened. The King by the Earle of *Linrick*, his Secretary for *Scotland*, on the fifth of September returns an Answer, that he expected their particular demands, and that he had already summoned his Peers at *Tork* on the twenty fourth of September, commanding them to advance no further. Three dayes after they return their answer to the Earl, telling him, "That as there was nothing in the world more desired by them then his Majesties favour, so they should desire nothing but what should suit with his Majesties honour and peace of his Dominions; That they should have expressed their desires particularly in their Petition, but that they had before done it in the printed Declarations; however they now recite the summe of them. First, that the late Acts of Parliament might be published in his Majesties name with the staves of Parliament. That *Edinburgh* Castle, and other strengths in *Scotland* might be fortified and used for their defence. That their country-men in *England* and *Ireland* might not be forced to Oaths and Subscriptions contrary to their National oath" and

The Scots desire.

The Civill Warres

“ and Covenant. That common Incendiaries in His Majesties Dominions might be brought to censure. That their Ships and Goods with all dammage be restored; That all the Wrongs, Losses, & charges they have sustained be repaired; That the Declarations made against them as Traitors be recalled; That by advice of the Parliament of England all Garrisones be removed from the Borders, and all impediments that may stop a free Trade; and that the Parliament of England might convene as soon as possible, as the only way to settle peace, and enable them to obey his Majesties prohibition of advancing further; for as nothing but an invincible necessity had brought them out of their Country into that place, so no other thing should draw them beyond the limits appointed by his Majesty. Thus under an humble Vail they peremptorily demand what they knew the King could neither in honour nor policy grant. But their earnest prestures for hastening of the English Parliament was opposed to be out of the clear and plain sense they had, that the English poplacy being now so generally inclined to their Faction, the Houle of Commons should favour both them and their Rebellion; and little reason had they to doubt it, since some of the Lords already seemed to back them, by presenting a Petition to the King as directly answerable to the Scots desires as could be; wherein, under the large pretences of Religion and Liberty, and his Majesties Crown being in danger, they huddle together a great many pretended Grievances in Church and State; & therefore desire that a Parliament may be speedily called for their redresse, the only thing aimed at by the Scots at their coming out of Scotland. This Petition was subscribed by Francis Bedford, William Harisford, Robert Essex, Mulgrave Warwick, Say and Seal, Edward Howard, Mandevill Brook and Paget. To which the King returned answer, “ That before the receipt of their Petition he well enough foresaw the danger which threatened him and his Crown, and therefore had resolved upon the twenty fourth of that Moneth to summond all His Peers to York, and consult with them what was fittest to be done for his own Honour, and the safety of the Kingdom. This Petition of these Lords was immediately seconded by one from the City of London, highly complaining of their Grievances; That unuiall impositions were put upon Merchandizes; that ship Money was urged and leavyed, yet Merchants ships had been taken by Pyrats: That by reason of the multitude of Monopolies, Patens and Warrants, Trading was decayed; That Innovations in Religion, the new Oath and Canons were imposed, whereby they were likely to be deprived of their Ministry, That there was a great concourse of Papists about the City and Suburbs, who thereby were better enabled to plot and execute their designs against the Religion established; That the sudden calling, & the sudden Dissolution of Parliament permitted them not to relieve the Subjects Grievances; That diverse citizens were imprisoned for not paying ship Money, &c. That the great fears they and their Families had of the danger which his Sacred Person was in this War, had greatly obstructed Trade, & so they conclude in the same tone in which the eleven Lords had done before them, that a Parliament might be called with all convenient speed, whereby their Grievances might be redressed. And the Scots to keep tune with their correspondents, seconded their former with a new Petition for the speedy calling of a Parliament in England, and had the same answer given them which the eleven Lords before had, whilst in the mean time the Scots grow very high at Newcastle; for Lesly imposed a new Tax of three hundred and fifty pound *per diem* upon the Bishoprick of Durham, and three hundred pounds upon Northumberland, upon pain of plunderings; and though it were

The Lords
Petition.

The City
Petition.

Three hundred and
fifty pound
per Diem

of Great Britain and Ireland.

23

payed, yet he suffered his Souldiers to rifle and break open shops & houses, they likewise imposed by seized on four great English ships laden with Corn as lawful prize, the Masters not the Scots on knowing who had possession of the Town, till they entered the Harbour, these and many other Insolencies were committed by them, besides their threats and menaces to do more, in case the English came not to a sudden accomodation. When on the day appointed the Peers met at York, whom the King salutes with a speech to this effect. "That it had been the custom of his Predecessors upon sudden invasion or dangers which could not admit of so much delayes to assemble a Parliament, to call their Peers, and with them to advise a remedy. That this now being his condition, an Army of Rebels lodged in his Kingdom; he thought fit to summon them, to consult with them how they might joyntly proceed for the chastising of their Insolencies, and securing his good Subjects; but first he lets them know that he desired nothing more than to be rightly understood of his people, and therefore of his own accord he had already given order to the Lord Keeper to issue out Writs instantly for the calling of a Parliament, to assemble on the third of November next ensuing: In the mean time he desired their advice in two things; First, what answer to give to the Rebels Petition, and in what manner to treat with them: Secondly, how the Army should be kept ascor and maintained till the Parliament might convene; for he thought no man could counsel him to disband so long as the Scots Army was in England &c. The calling of this Parliament without doubt rejoiced the Scots, and all those who were of their Faction in England; but to those who stick close either to King or Church, it was like to prove (as Sir Thomas Germain termed another) a whipping Parliament: and a fatal day was that of its Summons looked upon to be to the Church (*viz*) the third of November; it being the same day in the twentieth Year of King Henry the Eighth, that a Parliament was called, which first began to crop the power of the Church in England; whereof the Archbishop of Canterbury was minded, and desired to speak to his Majesty, to suspend their sitting for two or three dayes at least, for good luck sake; but he neglected it, perhaps to his own and Churches ruine.

The Peers meet at York

CHAP. XIX.

The Treaty with the Scots, Montrose defects the Covenanters.

THE first thing which the General Council of the Peers took in hand to debate, was, the manner of a Treaty with the Scots; and after several meetings, Mr. Bellows was sent as Messenger from the King and Lords, to the Scots Army, to acquaint them, that sixteen English Lords, to wit, the Earls of Bedford, Essex, Barkshire, Holland, Hereford, Bristol, Salisbury, & Warwick, The Lords, Mandevill, Savile, Howard, Brooke, Poget, Dunsmore, Pawler, and Wharvon, should meet with as many Scottish Lords to treat of an accomodation; but the Scots refused to come to York, as insecure for their Commissioners. in regard the Earl of Strafford their mortal enemy commanded there in Chief; so Rippon is the place appointed for the Treaty: where the Commissioners being met, exception is made by the Scots at the Earl of Traquair's being present at the Treaty, not being authorized as a Commissioner; to which it was answered, that though he were not authorized to Treat as a Commissioner, nor to Vote in Debates, yet it was reasonable he should be present, in regard all things which required

The Treaty at Rippon.

The Civill Warres

red debate, as the Laws and Customs of the Kingdom of *Scotland*, and all passages of the Assembly and Parliament, to which the English Commissioners are strangers, were known to him. This satisfies the Scots, and the English proceed to propound a Cessation of Arms, to which the Scots answered there was many things first to be considered of, that as their Affairs stood, home they must not, they must not return, till they had obtained what they came for; nor forward durst they advance, his Majesty having commanded the contrary; therefore there being a necessity of staying in their quarters, some way of subsistence must be found for them; and to that end they present these demands to the English: First, how their Army should be maintained untill the Treaty be ended, and Peace secured; secondly, for a safe convoy, if more Commissioners were required; thirdly, safe convoy of Letters from them and the Parliament, and to them; fourthly, free Commerce of both Kingdoms, and that the common Trade of *Newcastle* be not hindered, especially for Victuals. These indeed seemed somewhat harsh, especially the first, yet after a long debate these twelve Articles were concluded on the twenty six of *October*: “First, a Cessation of Arms both by Sea and “Land for the present; secondly, all Acts of Hostility to cease; thirdly, that both “parties shall peaceably return (during the Treaty) whatsoever they possesse at the “time of Cessation; fourthly, all persons in any of the Kings Forts beyond the *Tees*, “not to exempt their Lands in *Northumberland*, and the *Bishoprick*, from contributi- “on towards the payment of eight hundred and fifty pounds *per diem*; Fifthly, none “of the Kings Forces on the other side of the *Tees* to give any impediment to such Con- “tributions as are allowed for a competency to the Scots, nor to forrage or fetch Victu- “als out of their bounds; sixthly, no Recruit be brought to either Army during the “time of Cessation, and during the Treaty; seventhly, that the contribution of “eight hundred and fifty pounds *per diem* be only raised out of the Counties of *Northumberland*, *Bishoprick*, Town of *Newcastle*, *Cumberland*, and *Westmerland*; that “the non-payment should not be any breach of Treaty, but the Countrey and Towns “shall be left to the Scots power to raise the same, but not exceed; eighthly, that the *River Tees* shall be the bounds of both Armies, (excepting only the Town and Castle of “*Stockdon*, and the Village of *Egghistiffe*) and the Countreys of *Northumberland* and “*Bishoprick*, to be the limits within which the Scots Army is to reside, having liber- “ty for them to send such Convoyes as shall be necessary for the gathering up only of “the Contribution which shall be unpaid by the Counties of *Northumberland* and “*Cumberland*; ninthly, that if any person commit any private Insolence, it shall be no “breach of Treaty, if upon complaint made by either parties, reparation and punish- “ment be granted; tenthly, if Victuals be desired upon the price which shall be agree- “ed upon, and ready Money offered for the same, and refused, it shall be no breach of “the Cessation to take such Victuals, paying such prices; eleventhly, no new Fortifi- “cation to be made during the Treaty against either Parties; twelfthly, that the Sub- “jects of both Kingdoms may in their Trade of Commerce freely passe to and fro with- “out any stay at all: but it is particularly provided, that no member of either Army “passe without a formal passe under the hands of the General, or him that commands in chief. These were the Articles agreed on at *Rippon*, but not all; the Scots would have the rest been referred to a general Treaty with the Parliament at *London*. During the time of this Treaty, the Earl of *Montrose*, who had for a long time adhered to the

Articles of
Cessation.

of Great Britain and Ireland.

the Covenanters, finding now that their designs were clearly levelled against the Kings Person and Sovereignty, began to detest them, and by private Letters to the King professed his fidelity and ready obedience to his Majesty: which being by the treacherous Bed-chamber men stolen out of the Kings pocket, were copied out, and sent by Ham-^{The treache-} milton to the Covenanters, who durst not proceed openly against him, in regard of his popularity, but only endeavour to render him odious to the people, that he might do his Majesty lesse service on occasion; notwithstanding which endeavours of others, he had afterwards near ruined them, had not some cross accidents happened. But to return to the Parliament of England, and first.

CHAP. XX.

What the Priviledges of Parliament were, and how they had their Growth.

THat which most of all irritated the people, and drew many to War, being the large pretences of the breach of the priviledges of Parliament; it will not be impertinent to set forth what the priviledges of the Parliament of England were, and how they had their growth; whereby it will in some measure appear by comparing them with other parts of this History, how the people were deluded, and how easily they were induced to believe seeming truths rather than realities. Our Parliaments here in England had their first rise in imitation of the three Estates of France, which never had any power more then to consult of matters of Estate, and by way of petition crave the Kings assent, without which no Laws ever were or could be made; and thus at first were our Parliaments in England, for the Kings Writ (without which no Parliament can be legally constituted) being issued out to the Sheriffs of every County, every respective Free-holder had liberty at the Shire Town to give his voice for the election of Knights, and every Free-man of City or Borough for the Election of Citizens and Burgeses, as is now likewise used. This Writ of the Kings used to express, not only the duty of the Sheriff in summoning, but likewise the duty of such Knights, Citizens, and Burgeses, as were ordered to serve in Parliament; to which end, Indentures were ordered to be made between the Electors, and the Persons elected; and this is the manner of the Election or Choice of the House of Commons. As for the Prelates and Peers, they were every individual person chosen by the King and his Privy Council; and Writs issued to every one particularly in the Kings Name. Thus was the Foundation of both Houses of Parliament, who being formed and made clearly by the Kings Writ, must necessarilie and of consequence have no other Priviledges then what they freely receive from him who gave them being; The truth is, that the King with the Prelates and Peers were Originally the Common Council of the Nation, nor were ever the Commons called, or had any consent in the making of Laws till the Reign of King Henry the First; and yet we finde in sundry Kings Reignes after him, viz. Henry the Second, Richard the First, King John; &c. that severall Parliaments were called without any mention at all made of the Commons, but only of the Barons *spirituall and Temporall*. Nor did Henry the First during his whole Reigne ever Summond the Commons, but onely twice, viz. at his Coronation, and in the fifteenth year of his Reign; and indeed at his Coronation the story has it, *per commune Concilium Baronum*, and of severall other Parliaments held

The Civill Warres

held in the third, tenth, and twenty third years of his Reign, there is no mention at all made of the *Commons* being called, but only of the Lords *Spiritual* and *Temporal*: and though the *Commons* were then twice called, yet we cannot find that any Writs were issued untill the Reign of King *Henry* the third, who by the sole advice of his Privy Council, first issued out Writs for the calling of Knights of the Shire; yet were these likewise confusedly chosen, till in the time of King *Henry* the sixth, an Ordinance was made for preventing of Riots, formerly used in such choices, and enacting, That no man enjoying lesse then forty shillings *per annum*, Freehold in the County, should have a Voice in the Election. Thus we see that the first original of the *Commons* sitting in Parliament, was in the Reign of King *Henry* the first, who usurping the Kingdom, and depriving *Maud* the Empress, right Heir to the Crown, of her Dominion, was forced to endeavour by some means extraordinary to ingratiate himself with the people, the better to conserve what he had unjustly gained; but yet though afterwards the *Commons* were called to Parliament, and made a House by the Bishops in time of the Barons War, the better to curb them; yet were they never called to consult, but only to consent; and so modest were they, that when any great Affairs of State were consulted of by the King and his Barons, especially about the making either Peace or War, they being sent to by the King for their advice, would modestly excuse themselves, desiring him not to ask their advice in so great Affairs of State, which were things they understood not, but were fitter only for the debates of his Majesty and his Lords; and that whatever in such cases they should resolve on, should be willingly assented to by them; for so moderate then were the Parliament-men, that they thought it sufficient, if they looked after the advancement of Affairs, for the place for which they served, & not at all to meddle with high actions of State, which the King and his Barons were then only thought fit to consult of; nor did they take into consideration matters of Religion, which it was only the Place and Function of the Lords *Spiritual* and *Divines* to determine of, and not at all appertaining to the Laity. This was the manner of the House of Commons in former times, when afterwards they had liberty to consult, not power to make Acts, but only petitioning to the King, which Petitions he either granting in part or in whole, they began to be Acts or Ordinances by his grant; but if the King was pleased to deny them, they were void and ineffectual; so that still what e're was done, was only by the Kings free grace and pleasure, who solely had the Legislative power in his own hands; a clear argument to prove which may appear, in that whatever *Acts*, *Ordinances*, or *Proclamations* have been made by the Kings Majesty and his Privy Council without Parliaments, have, are, and do stand as good and effectual Laws, many examples of which might be produced: many causes which have been heard and determined before Parliaments have been examined, and afterwards judgement given upon them by the King and his Privy Council: As for the House of Lords, though they went by that French name of Parliament, yet they were only summoned by the Kings Writ, when, where, and how many of them he pleased; nor had they then any but an indicative power to advise, but in the King still rested the imperative power to command, or make Laws; nor was their advice any wayes obligatory to the King, but according to his free will and pleasure, all such Acts and Ordinances as were made, even *Magna Charta*, and *Charta de Foresta*, running in the stile of the Kings meer and free will and pleasure. As for those Priviledges the House of Commons pretend to, I can find none

of Great Britain and Ireland.

full and firm; (nor that hardly) but only their being freed from Arrests; and Sir Edward Coke himself, who was so great a stickler for the House of Commons, yet makes this their only Privilege; nor was this granted but only that being freed from Arrests, the Members might be better capacitated to follow the service of the House, nor that they had thereby any power given them to do any extraordinary Act. True it is, that in the fourteenth year of King Henry the eighth, Sir Thomas More Speaker, Petitioned the King, That if in communication or reasoning any man should speak more largely then of duty they ought to do, all such offences should be pardoned; which was granted by the King: yet did not this grant give any man power to speak what he would in Parliament, but only pardoned him if rashly he should trespass his duty; and though the granting of Subsidies, and raising of Moneys may by custom seem to be made a Privilege of the House of Commons, yet most clear it is by many ancient examples, That Subsidies were paid, before ever the Commons sat in Parliament. But no example can be produced till within these twenty years, that ever the Commons had power to raise Money without the King; nor can any Act be made for raising a Subsidy, till by the Kings subscription it be made a Law whereby every one is obliged to obey it. But that the Prince may raise Money without the Parliament, let us go no further for examples then Queen Mary, and Queen Elizabeth, the one of which without a Parliament laid an Impost upon French Wines and Cloth, the other upon sweet Wines and Allome. In summe, what ever privileges the Parliament can pretend to, are only by the clear and free grace and favour of the King, and not out of any Right which they could plead: and indeed if we search we may easily find, that most of those Privileges which have been granted them, have been by such Princes as have unjustly come to the Crown, or extorted from others in the times of necessity, yet alwayes with Proviso's, that they infringed not the Royal Prerogative. Which how much the late Long Parliament of England did, and what power they usurped to themselves, beyond Right or Reason, the sequel of the Story will shew.

CHAP. XXI.

The Parliament convocate, the Kings Speeches to them; Debates about Grievances.

THE Cessation being thus concluded on between the two Armies, the King and the Lords hasten to London, there to be at the Session of the Parliament, which was summoned to meet at Westminster on the third of November, as aforesaid; a great part of impudence it was by some accounted, the convening of this Parliament to Westminster, and not rather to York, which place was a great deal nearer to the chief business they had to take in hand, viz. The War with the Scots, and a great deal further off I am sure from that then so much Scottified Citie of London. But they being convened, according to the time and place prefixed, Mr. William Lenthall Reader and Bench-er of Lincolns-Inn is chosen Speaker. The Houses being sat, the King comes into the House of Lords, and tells them, "That the knowledge he had of his Scottish Subjects, was the cause of his last assembling a Parliament; wherein if he had been believed, he did verily think things had not fallen out as they now saw them. But "it was no wonder men were slow to believe so great a Sedition raised upon so little grounds. But now the honour and safety of the Kingdom lying so heavily at the

1640.

The Civill Warres

“ stake, he was resolved to put himself freely upon the love & affection of his English subjects, & therefore he should not at all mention his own interest, or that support he might justly expect from them, till the common safety were secured; though he must tell the, “ that he was not ashamed to say, that those charges he had been at, had been merely for “ the securing and good of the Kingdom, though success had not answered his desires; “ therefore he should now onely desire them to consider, the best way for the “ safety and security of this Kingdom; wherein two things were chiefly considerable; “ first the chasing out the Rebels, and secondly, the satisfying their just Grievances, “ wherein he should readily concur with them. Two things more he would acquaint “ them with all; first, that the Loan of the City of London and that Money advanced “ by those Lords who waited on him to York, would but pay his Army two moneths, “ from their Advance, and therefore referred it to their consideration, what a great dishonour and mischief it would be to this Kingdom, if this Army for want of Money “ should be forced to disband before the Rebels were gone out of it; and secondly, the “ redressing the great calamities the Northern Counties endured, in which all England was like to suffer with them; and so resting confident of their love to him, referred them for a further relation to the Lord Keeper. According to which the Lord Keeper gave both houses a full account of the Scottish Rebellion and Invasion, though many there were in both Houses highly resented the Kings terming the Scots Rebels; which the King hearing, went two dayes after to the House of Lords, telling them, “ that “ he should explain himself concerning one thing he spake the last day, hee told them “ that the Rebels must be put out of the Kingdom. It is true (sayes he) I must needs “ call them so, so long as they have an Army that invade us. But to proceed, notwithstanding the Kings earnest pleading for a supply of Moneys for the driving out of the Scottish Rebels, the Parliament took no notice of it, but spent the rest of the Week in settling Commissions for examination of several Grievances; and declaring against them in set Rhetoricall Speeches made by several of the Members of the House of Commons amongst whom Mr. Pim (a grave and Religious Gentleman, as on calls him) grave indeed he might be, but had certainly little of Religion, to be so great an Incendiary & disturber of his Countreys peace, was the chief, who in tedious Speeches of two houres long, declaring against Grievances, tore in pieces the Royal Prerogative; the Lord Digby likewise in a set Speech ranged his complaints into six ranks; first, against Ship Money, secondly, leavying of Souldiers; thirdly Monopolies; fourthly, the new Canon Oath; fifthly, its being illegally imposed upon Ministers; sixthly the requiring a Benevolence under penalty of Suspension, excommunication and deprivation: following these Heads, and coming to the last, somewhat too Satyrically quibbling upon Bishops, and the late Convocation, whom he terms a new Synod, made up of an old Convocation; their presumption in granting a Benevolence to the King, a malevolence in them to the Parliament; and a malevolence in the refusers from the Bishops, with a penalty of no lesse then the losse of Heaven and Earth: Heaven by Excommunication, and Earth by Deprivation: and so goes wittily on, laying all the blame of those Grievances on evil Counsellors, and extolling the Kings perpetual vertues, which would for ever preserve him in despite of such Counsellors, &c. But this Lord Digby though now so much affected to the Populacy, soon after receiving some glances of honour from the Court, was converted, and ever after a faithfull and Loyal Subject and Servant to the King his Master.

The Commissions for Examination of Grievances being settled, on Monday the 9. of November Petitions came thundering to them from all the Counties of England, representing their particular Grievances; besides others from private persons, who though deservedly had suffered under the Lash of the Star-chamber, Counsel Table, and High Commission court, especially those of *Prinn, Bastwick, and Burton*, who were Voted to be released out of their several prisons, to come up and make their defence. The Parliament were likewise displeased, that the King had established a Constable over the Tower of London, Supream to the Lieutenants, (which he had done to prevent the Infolencies of busie and loose people) and likewise against the confluence of Popish Recrants about the City; whereupon the King sent a Messenger to the House to acquaint them, that he had Commissionated a Constable over the Tower, for the better securing the peace of the City, but that now he would recal his Commission, and leave the Tower to the Government of the Lieutenants only; and as for the Papists, they should by Proclamation be removed to the places of their abode. The House of Commons contrary to ancient custome to ingratiate themselves with the people, ejected out of the House all such Members as received any benefit by Monopolies, or unlawful Projections. Thus they who so much declaimed against Innovations, were the first Innovators; for there was never before any President to be found, that the Commons had power to exclude any of their Members from their Places in Parliament, either under colour of false Elections, or any other pretence whatsoever; and if not for undue Elections, much less power had they to suspend those who acted by the Kings Patent, and for his service, nor wanted their complaints in the House of Lords, who highly resented the breach of their Privilege, by the searching of the Earl of *Warwicks*, and the Lord *Brooks* pockets, Cabinets and Studies for papers, at the Dissolution of the last Parliament; for which Sir *William Beecher* the actor, one of the Clerks of the Council, being brought before them, though he alledged the command of the two Secretaries of State for what hee did, yet was committed to the Fleet. Thus began the Cloud to spread its self on all sides, which at first appeared but like a mans hand, yet afterwards over-shaddowed these three Nations.

CHAP XXII.

The Impeachment of the Earl of Stafford, Money borrowed of the City, the Enlargement of Bishop Williams, Votes against Ship Money, and the Canons; The Flight of Secretary Windebank, and the Lord Keeper Finch.

AND now the House of Commons begin to act their parts (Tragical ones) in good earnest, Mr. *Pim* (that grave and Religious Gentleman) is sent up to the House of Lords with an impeachment of High Treason against *Thomas Earl of Stafford*, Lord Lieutenant of *Ireland*, desiring that he might bee sequestred from the House, which accordingly he was, and committed to the Usher of the Black Rod; Sir *George Ratcliffe* likewise, a great friend of the Earls, was two dayes after sent for out of *Ireland*, by a Sergeant at Arms, in order to his further accusation. Yet the Earl notwithstanding his Confinement wanted not some real friends who stuck close to him in the House of Lords, and proffered to be his Bail. But the Lord *Paget* affirmed it was against

1640. against the Laws of the Land, and the privilege of the House, however in regard of his
Censure on close restraint, they procured him Council and a Solicitor. This famous Earls judg-
Strainfords ment hath been since his death extreamly questioned both in *England* and abroad; first,
Judgment. that having a charge ready against his chiefeft Accusers, (for so he had against *Pym*, and
 several other striking men in the House of Commons, for holding correspondence
 with the Scots Covenanters, and inviting them to invade *England*, which could have
 amounted to no lesse then Treason) he suffered them to get the start of him, and accu-
 sed him first; which if he had got of them; and exhibited his Articles against them, he
 had made them parties, and rendered them incapable to proceed against him: And se-
 condly, that knowing that he had both the Parliament and the Scots, (whose chief de-
 sign was his destruction) and also the *Irish* his enemies, he did not rather for a time go
 beyond the Seas, which from *York* might easily been done, then venture himself though
 never so confident of his Innocency, upon such a Judgement, where the parties were
 both his Judges and Accusers; but innocence fears nothing. Yet the Parliament now
 think fit to spare a little time in considering the Charge which the Northern Countreys
 are put to in maintaining two such great Armies: they therefore resolve to find some
 way for their relief, and to that effect order the borrowing of one hundred thousand
 pounds upon interest from the City of *London*, for which several Members of the House
 of Commons stood engaged until such time as it could be repaid out of the Subsidies
 to be raised. The Bishop of *Lincoln*, who had for some years been imprisoned, was by
 the petition of the House of Lords to the King released, and the next day after being a
 Day of Humiliation, officiated as Dean of *Westminster* in the Abbey Church. *Prinn*
and Burton, two of those factious spirits formerly, ordered by the Parliament to be relea-
brought to sed from their respective Imprisonments, were on the twenty eighth of *November*
London. brought with an *Hosanna* into *London*, conducted by many thousands of people on Horle-
 back and Foot, with sprigs of Rosemary in their Hats, as it were in reproach and de-
 fiance of that Court of Justice, which had censured them. On the thiid of *December* they
 were admitted into the House of Commons, to present their petitions against their per-
 secutors: And still the Parliament go vigorously on in redressing of pretended Gri-
 vances, whilst they regarded not at all the dishonours the Nation groaned under, to main-
 tain a Rebel Enemy in their Bowels. On the seventh of *December* they passed these
 Votes, "That the charge imposed upon the Subjects for providing and furnishing of ships
 "and the Assessment for raising Money, for that purpose called *Ship Money*, are against
 "the Laws of the Realm, the Subjects Right and Propriety, and contrary to former
 "Resolutions in Parliament, and the petition of Right. That the extrajudicial opini-
 "on of the Judges published in the Star-chamber, and enrolled in the Courts of *West-*
 "minster are in whole and in every part of them against the Laws of the Realm; &c.
 "ut prius. That the Writs commonly called ship Writs are against the Laws of the
 "Realm &c. ut prius. That the judgement in the Exchequer in Mr. *Hampdens* Case,
 "is (as to the matter and substance thereof) against the Laws of the Realm &c. ut pri-
 "us. These Votes likewise passed in the house of Lords, and all this in Arbitrary way,
 without so much as a review, or Counsel heard, or the Judges reasons asked, why they
 gave their opinions for it, but only upon the bare word of those two dissenting Judges,
Hutton and *Crook*, whose judgements were cried up in Print, and a Committee ordered
 to draw up an Impeachment of High Treason against the Lord Keeper *Finch*, and the
 rest

rest of the Judges who had been Abettors of it. Next they proceed to the nulling and making void those new Canons made by the late Convocation, Voting, "That the Clergy had no power to make Canons, Constitutions, or Lawes to bind either Lay or Clergy without a Parliament; and that the Canons are against the Fundamental Laws of the Realm, against the Kings prerogative, Propriety of the Subject, the Rights of Parliaments, and do tend to Faction and Sedition. Yet the King by whom they were viewed and imparted to his Privy Council, Judges and learned Council, could not find any thing in them against the Lawes of the Realm; the Kings Prerogative, Rights of Parliaments, or tending to any Faction or Sedition, but only what factions and seditious spirits made, who would have improved the best of things to their own bale and seditious ends. They like wise to keep the Clergy in awe frame a Bill for fining all such as safe in that Convocation, so that none of them durst appear in maintenance of their just Right and Authority. These strict proceedings in Parliament put some of the great men about the King in fear of themselves, since they had been like enough to have been accused, if not condemned, only for being so; which made Sir Francis Windebank, who had been questioned for reviving some Priests & Jesuits, and suspected of matters of high nature, on the fifth of December to steal away into France, and prefer a voluntary Exile, before venturing to stand to these Inquisitors mercy, yet afterwards when the War broke out between the King and this Parliament, he came over to the King at Oxford, where finding his sufferings unregarded, and himself not permitted to sit as a Member in the House of Commons, when it was summoned thither; he returned back again to his Wife in France, where not many years after he died a true Protestant, though some have been pleased to affirm the contrary. Soon after him followed the Lord Finch of Forditch, keeper of the Great Seal. But first he endeavoured to allay the Commons anger, by antiquating their charge, with an Elegant Oration made in his own vindication; notwithstanding which he was by them the very day Voted guilty of High Treason, for refusing to read the Remonstrance against the Lord Treasurer Weston, when the King desired it. For soliciting, perswading, and threatening the Judges to deliver their opinion concerning Ship Money; for several illegal actions in Forrest matters; for ill Offices done in moving the King to Dissolve the last Parliament, and causing his Majesties Declaration thereupon to be put forth. For which being the next morning accused in the House of Lords, he was early up, and escaped their hands, withdrawing himself into Holland, till such time as the War broke forth, when he returned, and did his Master good service.

Clergy fin-

Sir Francis Windebank flies.

And the Lord Finch

CHAP. XXIII.

The Archbishop of Canterbury Impeached, the Scottish Covenanters Charge against him and the Earl of Strafford.

THE Parliament next proceed to the taking away of the other Prop of the Kings Council; they had already impeached and imprisoned the Earl of Strafford his greatest stay in State Affairs, and now they proceed to appoint a Committee to draw up a Charge against the Archbishop of Canterbury (his chief prop in Church businesses) as the chiefest framer of those Canons, and other imagined Delinquencies; and shortly after Mr. Denzil Holles carried up his Impeachment to the House of Lords, whereupon

1640.
The Scots
complaints
against the
Archbishop
& Stafford

pon he is sequestred from sitting in the House, and committed into the custody of the Black Rod; the Scots also bring their complaint against him, (joining him with the Earl of *Strafford*, calling them Incendiaries in these National differences, and charging him, "First, with some particular alterations in Religion without Order or Law, " which they said might be proved by fourteen severall Letters to their pretended Bishops, (so they called them) to promote the English Service-Book; and by several Papers and Institutions to the Bishop of Saint *Andrews* and *Ross*, for ordering the Affairs of the Kingdom; to obtain Warrants, order the Exchequer, Privy Council, Commission of Surrenders, the matter of *Balmerino's* process, Warrants to sit in the High Commission once a Week, to gain from the Noblemen the Abbeyes of *Kells* & *Conday* for the Prelats, ordering the meanest Offices of the Kirk by his commands. Secondly, imposing a new Book of Canons and Constitutions devised for promoting a Tyrannical Power in the Prelates over the Consciences, Liberties, and Goods of the People, to abolish the Discipline of their Kirk settled by so many Provincial Assemblies. Thirdly, endeavouring to impose a Book of Common Prayer or Liturgie upon them, full of dangerous Errours, of which they challenged the Prelate of *Canterbury* (so they termed him) to be the prime cause on earth, to be proved by several Letters of his to their pretended Bishops, by the Book writ, interlined, and margined with his own hand, changes and supplements taken from the Masse Book, contrary to the Kings knowledge. That when they several times supplicated against that Book, he procured answers in threatening Proclamations; which when they were forced to protest against, they were called Rebels and Traytors; that he had provoked War against them, and after *Barwick* Pacification, advised to have it broken, to bring on a new War, calling their Covenant treasonable and damnable: That he had set his hand to a Warrant for Restraint and Imprisonment of some of their Commissioners, when they had declared the truth of their Intentions, Declarations, Remonstrances, and Representations, true, just, and lawfull: That he had advised the breaking up of the last Parliament, but sat still in Convocation, making Laws against them: that he had caused a Prayer to be used in all Churches in *England*, whereby they were stiled trayterous Subjects. Then they conclude, that if the Pope himself had been in his place, he could not have acted more vigorously against the Reformed Churches, to bring them to Heresies, Superstitions, and Idolatries of the Church of *Rome*, &c. for all which they desire Justice. Then they adde, that with *Canterbury* (no otherwise) they had conjoynd the Lord Lieutenant of *Ireland*, "Who out of meer malice, pride, and superstitious disdain of their so much honoured Kirk, endeavoured to do mischief to their Kirk and Countrey; That he had disgraced their new Reformation begun in *Scotland*, in a Pamphlet entituled, *Examen Conjurations Scotticae*, The ungirding of the Scottish Armour. That notwithstanding their National Oath and Covenant warranted by General Assemblies, approved by Parliament there to be taken by all the people, their Loyalty to the King, lawfull and innocent proceeding; yet did he bend all his malice against them. First, by forcing all the Scots in *Ireland* above sixteen years of age to renounce the Covenant under penalty of close imprisonment; whereupon many Scots fled over into *Scotland*, leaving all they had behind them. By calling a Parliament, and extorting four Subsidies from the already impoverished Countrey, for leaving an Army against

against them; intended as a President for *England*. By raising an Army accordingly, bringing it to the Coast, threatening to invade *Scotland*, and make them a conquered Province: That when he had done this, hastening to *England*, at the delivery of the Sword he said, *That if ever he returned to that honourable sword, he would leave of the Scots neither root nor branch*. That being come into *England*, he used his utmost persuasions to incite both King and Parliament to War against them. That way failing, he plotted the breaking up of the Parliament, and got himself the command of the Army against them; and though they came in with supplication and Petition far from Invasion, he gave order to his Officers to fight, and to engage them in blood. That at the General Council of the Peers at *Tork*, when his Majesty and the rest of the Peers were inclined to peace, he alone exclaimed against them, calling them Traytors and Enemies to Monarchical Government; That they were to be sent home, and that he himself would whip them home in their own blood: That after the Cessation of Arms during the Treaty, he drew up his Army near the *Tees*, and gave his Warrants to several Governors of *Barwick* and *Carlisle* for their acts of Hostility, &c. They therefore desire that this great Incendiary, not only against private persons but against Kingdoms and Nations, might come to his Tryal, and endure condign Justice and Punishment.

CHAP. XXIV.

The Scots Voted One hundred thousand Pounds. Sir George Ratcliffe's Impeachment. Debates about a Triennial Parliament.

For this good service of the Scots in bringing in these Complants and Articles against the Archbishop of *Canterbury*, and the Lord Lieutenant of *Ireland*, the House of Commons Vote them to have One hundred thousand pounds towards the defraying of the Expence of their Army, notwithstanding the large Contribution which they received *per diem* from the Countrey, and the miserable Harrahs which they made of those Northern Counties. And now Sir George Ratcliffe, the great friend and confidant of the Lord Lieutenant of *Ireland*, being brought thence by the Sergeant at Arms Ratcliffe an Impeachment is drawn up in the House of Commons against him: First, That he had conspired and joyned with the Earl of *Strafford*, to bring into *Ireland* an Arbitrary Government, and to subvert the Fundamental Laws. Secondly, To bring in an Army from *Ireland* to subdue the Subjects of *England*. Thirdly, That he joyned with the Earl to use Regal power, and to deprive the Subjects of their Liberties and Properties. Fourthly, To take Forty thousand pounds out of the Exchequer in *Ireland*, and bought Tobacco therewith, and converted the profit to their own uses. Fifthly, That he hath traitorously confederated with the Earl to countenance Papists, and build Monasteries, to alienate the affections of the Irish Subjects from the subjection of *England*. Sixthly, To draw the Subjects of *Scotland* from the King. Seventhly, That to preserve himself and the said Earl, he had laboured to subvert the liberties and privileges of the Parliament in *Ireland*. The Parliament having gone thus far against these pretended Delinquents, now begin to consider more amply for redress of Grievances; and concluding that the want of frequent Parliaments was the chief cause and source from whence they were derived, a Motion was made in the House for passing a Vote for Triennial

The Civill Warres

ennial Parliaments : But to bring this the better about with the King, several Petitions are framed ; amongst which, one of seven hundred Presbyters, against the Bishops and their Hierarchy ; whereupon the King came to the House, and after having minded them of their slow proceedings, and the inconveniences which ensued thereupon, in maintaining two Armies in the Kingdom at excessive charge ; and the weak condition of his Navy and Forces, to the encouragement of his enemies, and great disheartning of his friends : tells them, " That he could not but take notice of several strange Petitions received into the House of Commons, in the name of several Counties. against the present establishment of the Church ; and of the great threats abroad, that Bishops should now be but cyphers, if not quite taken away : That he must needs make a difference between the Reformation and Alteration of a Government ; and though he was for the first, he could not give way to the latter : He likewise tells them, that there was a Bill given in for frequent Parliaments, which thing he liked well, that is, to have often Parliaments : But to give power to Sheriffs and Constables, and he knew not whom, to do his office, that he could not yeeld unto ; but yet to shew them how desirous he was to satisfy them, he was content such a Bill should passe ; but with such restrictions as his learned Councell, whom he would send to confer with them, should think fit. This the Parliament received with seeming content, but in relation to the expediting of the businesse, for removal of the Armies, they took no great notice, having somewhat yet to do before the Scots Army removed their quarters. About this time one Goodman a Jesuit being condemned at the Sessions in London, was by the King reprieved ; whereof complaint being made to the Commons, Mr. Glynn is by them sent to the Lords to desire that they would joyn with them in Petition to his Majesty, to be informed who should dare to be instrumentall in retarding of Justice in the face of a Parliament ; which being assented to by the Lords, the Lord Keeper on the twenty fifth of January signified the cause to be, in regard he was only found guilty as being a Priest, upon which score alone neither his Father or Queen Elizabeth ever exercised the rigour of the Law, This not being satisfactory, on the twenty seventh of January a Remonstrance was presented to his Majesty, declaring, " That there was more need now then ever to put the Law in strict execution, by reason of the great increase of Popery, and great confluence of Popish Priests, &c. and therefore they desired, that Goodman might be left to the mercy of the Law. To which the King answered, " That it was against his will Popery was so much increased, and that he would take care to prevent it, by putting the Laws in execution, &c. And that rather then give discontent to his people, he remitted Goodmans particular case to the two Houses, desiring them to remember the inconveniences which a severity upon him might bring upon his Subjects, and other Protestants abroad. Thus the smallest occasions were the Parliament ready to take to breed a discontent between the King and the people, though the King was so ready in all things to content and please them.

*The Kings
speech to the
Parliament
for Bishops.*

*Goodman
a Jesuit re-
prieved.*

*The Parlia-
ments Re-
monstrance
about it.
The Kings
Answer.*

of Great Britain and Ireland.

CHAP. XXV.

35
1640.

The Treaty at London with the Scots; Overtures of a Match between the Prince's Mary, and the Prince of Orange; Pretended Plots; the Bill for the Triennial Parliament passed.

THE Treaty with the Scots at Rippon having only, as I said before, produced a Cessation from Hostility, but not an absolute Pacification, the business is again taken into consideration, and the Kings Commission of the twenty third of November, empowering the same Lords, viz. The Earls of Bedford, Hartford, Essex, Salisbury, Warwick, Bristol, Holland, and Berkshire; The Lords, Wharton, Pager, Kimbolton, Brooke, Paulet, Howard of Estrich, Savile, and Dunsmore, or any ten or more of them to Treat with the Scottish Commissioners, or seven of them, being the Earls of Rothes & Dumfermline, the Lord Lowdon, Sir Patrick Hepburne, Sir William Douglas, William Drummond, John Smith Bayliffe of Edinburgh, Alexander Wedderburn, Hugh Kennedy, and Archibald Johnstoun, to take into consideration their demands, and compose all differences arising thereupon, was put in execution. And indeed whatever the Scottish Commissioners were pleased to demand, was in a manner granted to them. As first, "That all Acts made in their Parliament should be published in the Kings name with consent of the Estates. Secondly, That the Castle of Edinburgh, and other strengths of the Kingdom should with the advice of the Estates in Parliament, according to their first foundation, be furnished and used for defence of the Kingdom. Thirdly, That all Scottish men in the Kings Dominions of England and Ireland should be restored to their Liberties, and freed from censure, for subscribing the Covenant, and not be constrained to any Oath contrary to the Religion there established. Fourthly, his Majesty upon their desires declared, that he would not employ any person or persons in any office or place that should be judged incapable by sentence of Parliament, nor will He make use of their service without consent of Parliament, nor grant them access to his person. Fifthly, that all ships taken and staid should be reciprocally restored on both sides, and that four thousand pounds should be then presently advanced for Caulking, Sails, Cordage, and other necessities, for helping to let forth eighty Scottish ships staid in several English Ports. Sixthly, to their sixth demand wherein they desired from the justice and kindness of the Kingdom of England, reparation concerning the losses which the Kingdom of Scotland had sustained, and the vast charges they had been put to in the late troubles. To this they being desired to bring in their account in writing, they made it amount to five hundred fourteen thousand one hundred twenty eight pounds nine shillings, (a prodigious sum) besides the pretended losses of their Nation, Nobility, and Gentry, amounting by their account to two hundred and twenty one thousand pounds; And the neglect of their fortunes two hundred and twenty thousand pounds; besides the eighth hundred and fifty pounds per diem on the Northern Counties, and the vast plunder and havock they made there. These vast summes at first startled their greatest friends in the House of Commons, but at length it was granted, that the summe of three hundred thousand pounds be paid them as a friendly assistance toward their losses. Seventhly, that all Pamphlets both in England and Ireland writ against them be suppressed. Eighthly, to their eighth demand, wherein they desired that all monuments, tokens, and shews of Hostility upon the Borders of the two Kingdoms may be taken away; That not only the Garrisons of Berwick and Carlisle may be removed, but

The Civill Warres

"the Works may be slighted, and places dismantled. To which it was only answered, "that when a peace should be established, all things reciprocally should be reduced into "the terms they were before the Treaty. Thus scarce any thing in effect was denied them in all their demands, and so well they thrive upon their Invasion of *England*, that I think the Scots having so fair successe to their rebellious attempts, might as well cry out; O how does God favour Rebellion, as *Dionysius*, who having a fair gale after a sacrilegious design did, O how the Gods favour Sacriledge. During these distractions, the Ambassadour Legier of *Holland* having made several Overtures of a Match between the young Prince of *Orange*, and the Princess *Mary*, eldest Daughter to the King, he very willingly inclines to the Match; in regard of that Princes affection to the Protestant Religion; yet he resolves to acquaint the Parliament with his thoughts before he proceeds to determination, which having done, it was received with very great applause by the Parliament, and with infinite content to the people in general, who were highly pleased, that the King would condescend to make an alliance with so mean a Prince, because of the Protestant Religion; so that this somewhat abated the fears and jealousies, with which the Parliament had possesst the people with, of his endeavours to introduce Popery; but they think fit again to revive them, and accordingly the very next day four Members of the Commons House are sent up with a Message to the Lords, to acquaint them with an horrible terrible plot of the Papists, an invisible Army of fifteen thousand of them in *LANCASHIRE*, and eight thousand more in *IRELAND*, and God knows how many in other places, all well armed and in pay, raised by the Earle of *Strafford*, Earle of *Worcester*, and others; but both the Men and their Arms vanisht with their message. The Bill for a Triennial Parliament having now passed both Houses, was on the sixteenth of *February* confirmed by the Kings Royal assent, when the King minded the Parliament of the great graces and favours which he had done for them, especially in signing that Bill; in requital of which, they had not as yet done any thing in those things which meerly concerned the strength of the Kingdom, neither for the State nor his his own particular Acts of Grace; the King at the same time likewise signing the Bill for Subsidies for the relief of the Northern Counties: for which unparalleled Acts of Grace, the Parliament returned the King thanks by the Lord Keeper *Littleton*, and caused Bonfires and Bell-ringing through the City of *London* and well they might, for never was Bill passed by any King of *England* so much in favour of the Subjects, and so derogatory to his Royal prerogative, that the Earle of *Dorset*, the next day after the King had passed it, meeting his Majesty, saluted him by the name of fellow-Subject, in regard he had by that grant transferred both Crown, Sword, and Scepter to the Parliament. And very observable indeed is that Prophetick mistake of a Lady, (which Mr. *Hewel* likewise records) who writing to a friend in the Countrey that the King had passed this Bill, instead of *Triennial* Parliament writes, that the King had passed a Bill for a *Tyrannical* Parliament.

Bill for
Triennial
Parliament
passed.

CHAP. XXVI.

Articles against the Archbishop, several Petitions against Hierarchy, Bishops
Voted out of all Temporalities.

THE Archbishop of *Canterbury* having before been impeached by the House of Commons, and sequestered from sitting with the Lords, is now on the twenty eighth of *February*

of Great Britain and Ireland.

37
1640

February charged with High Treason, and a charge Marshall'd into fourteen Articles, carried up by Mr. *Pym* into the House of Lords, whereupon the Archbishop is commanded Prisoner to the Tower of London; but upon his humble suit to the Lords, is respited unto the first of *March*, till which time he continued under the Black Rod, when after being carried to the Tower, he remained there for near four years before he was brought to trial; nor perhaps he had not been then, had not the Parliament had occasion to make use of their Brethren the Scots against the King, and then his death must be made one of their principal invitations; yet the Parliament striking at him, meant not only his person, but the subversion of the whole body of the *Hierarchy*; which to effect, they caused several Petitions to be brought in by the Rabble of the Citizens of London, among which was one Petition pretended to be signed by fifteen thousand Londoners, complaining of many abuses of the Bishops in point of Church-Government, too much power which they had usurped in Temporalities, &c. Which Petition being read in the House of Commons, was afterwards referred to a Committee, many debates were had about, and many elegant Speeches made *pro and con*, for and against the Bishops; amongst which that of the Lord *Digbys* for the Hierarchy was most remarkable, who told them, "That he looked not upon that Petition as a petition from the City of *bies speech* London, but from he knew not what fifteen thousand Londoners, all that could be got for them." "to subscribe. That he perceived in it a mixture of things *Contemptible, Irrational,* "and *Presumptuous*. *Contemptible*, Did ever any man think that Fables of *Ovid*, or "Tom *Corriats* news should by fifteen thousand have been presented to a Parliament "for extirpation of Bishops: for he looked upon the scandals put upon the *Rocket*, the "Lawn sleeves, the four cornered Cap, the *Cope*, the *Surplice*, the *Hood*, the *Canonick* "coat &c. as Arguments of the same weight; he did not know whether it were more "preposterous to infer the Extirpation of Bishops from such weak arguments, or to attribute as they do to the Church Government, all the civil Grievances; nor a patent "not a Monopoly, nor the price of a Commodity raised, but these men made the Bishops "caulers of it. *Irrational*, A Petition ought to be like a kind of Sillogism, the conclusion, the prayer to hold proportion with the Premises, that is, with the Complaints, "and to be deduced from them; but in this Petition there was a multitude of Allegations, of Instances, of Abuses, and Deprivations in Church Government; and what "is thence inferred, let the use be utterly abolished for the abusers sake &c. *Presumptuous*, What greater boldness could there be then for Petitioners to prescribe to a Parliament what and how it should do, for a multitude to teach the Parliament what is, "and what is not the Government according to Gods word: Again, it was high presumption to petition point blank against a Government in force by Law; the honour "of former Acts must be upheld, because all the reverence they could expect from future times to their own Acts, depends upon their supporting the dignity of former "Parliaments. We all agree says he, that a Reformation of Church Government is "most necessary: But to strike at the Root he could never give his Vote before three "things were cleared to him. First, that no rule, no boundaries could be set to Bishops able to restrain them from such Exorbitances. Secondly, such a frame of Government must be laid before them as no time, no corruption could make liable to "inconveniences proportionable to those they abolished. Thirdly, whether the new "Model would be practical in State, and consistent with Monarchy, For the first, he "was

The Civill Warres

Bishops tem-
poralities
voted down.

“ was confident a Triennial Parliament would be a Curb sufficient to order them. For
“ the second, he was also confident, that did they listen to those that would extirpat E-
“ piscopacy, they should in stead of every Bishop they put down in in a Diocesse, set
“ up a Pope in every Parish. For the last, he was of opinion, it would bee unsafe to
“ Monarchy; for if the Presbyterian Assemblies should succeed, they would assume a
“ power to excommunicate Kings as well as other men; and if Kings came once to bee
“ excommunicated, men are not like to care what becomes of them. But notwithstanding
“ all reasonable debates, and what ever could be said for it, the Parliament though
“ they proceed not immediately to take away the Hierarchical Government; yet they
“ shrowdly nipt the power of them, by Voting on the tenth of March, “ That no Bishop
“ should have any Voie in Parliament, nor any Judicial power in the Star-chamber,
“ nor bear any sway in Temporal Affairs; and that no Clergy-man shal be in Commis-
“ sion of Peace. Thus the Prelatical Church Government, which had continued in Eng-
“ land ever since it was Christian, began to droop.

CHAP XXVII.

The Earl of Staffords Trial

THE Commons having before given in their Accusation against the Earl of *Strafford*
they next draw up a formal Charge, divided first into eleven several Heads, and
afterwards into twenty eight particulars, which on the thirtieth of *January* is Mr. *Pym*
presented to the House of Peers, as their full and compleat Charge against the Earl, who
immediatly was sent for, and heard it read before him; and being required to give in his
Answer, he demanded three Moneths time to do it, in regard, besides the length of the
Charge (two hundred sheets of paper) which would take up time to ingross; some
things wherewith he stood charged, were done fourteen years before, and so could re-
quire both time and study. Norwithstanding the Commons were so urgent, that no
longer time then twenty five dayes, viz to the twenty fourth of *February* following could
be allowed him; on which day it was read before the King in the House of Lords, and
before the Commons next day following, his Answer thus given in, it was next debated
where should be the place of his Trial, and whether he should be allowed Council. To
the first, the Lords would have it in their own House; but the Commons alledging that
they intended to mannage the charge against him by their own Members, the Lords
House would be to little to contain them; whereupon *Westminster Hal* was the place de-
termined on. To the second the Commons alledged, that in cases of High Treason,
Council could not regularly be allowed; which the Lords confessed to be true in mat-
ters *de facto*; but in matters *de lege* it might; and so Council was granted him. *West-*
minster Hall being the place appointed for his Trial, scaffolds were reared on either side
the Hal, where the Commons late uncovered, and in the midst of the lower ascent the
Peers; behind, but raised above the, there was placed a Chair & cloth of state for the King
and either side was a close Gallery for the King Queen and Prince to be private, so state-
ly and magnificent a Trial had never any Peer in England, the Earl of *Lindsay* as Lord
High Chamberlain of England had the ordering of the Stage, and on Monday the 22.
of *March*, the Lords and Commons having taken Seats, the Earl was brought to the
Bar: To whom the Earl of *Arundel*, Lord high Steward, declared, That he was called
thither

of Great Britain and Ireland.

39
1640

thither to answer to an Impeachment of High Treason, preferred against him by the Commons of England, and Ireland. Then his accusation was read, and his Answer to it took up that whole day, the next day the House fell upon the seven general Heads of subverting the Fundamental Laws of both Nations, which were managed by grave Mr. Pym: then a sealed paper was opened and read, which signified, that the Parliament of Ireland had Voted him guilty of High Treason, whereupon the Earl in passion replied, *That there was a conspiracy to take away his life:* At which the Commons immediately stood up, and demanded Justice against him, in that he standing impeacht of High Treason, accused the Parliaments of both Kingdoms of a Conspiracy. Whereupon hee humbly craved pardon for the inconsideratnesse of his expression, protesting, that he intended not there by either Parliament, but some particular persons. Then Mr. Pym desired that he might forthwith answer to three Articles more, which he had lately annexed to the charge; the Earl desired some time might be allowed him, but the Lords finding them of no great importance, put him to present Answer. The Articles were these. First, "That He had withdrawn Twenty four Thousand pounds from the Exchequer in Ireland and converted it to His own use. Secondly, That in the beginning of his Government the Garrison in Ireland had been maintained by the English Treasury. That he had advanced infamous persons, as the Bishop of *Waterford* to prime places in the Church of Ireland. To the first the Earl answered, That England was indebted to Ireland that summe; that he took up the money upon his own credit, and paid it in again; and that he had the Kings Authority for the same producing his Majesties Letters. To the second, that the Garrisons had been burthen some to England in former Deputies times, that he so found them, but that he had so improved the Kings Revenues there, that now they were not burthen some at all. To the last, that he never preferred any but such whom he conceived conscientious and honest men; that he could not prophesie of mens future conditions; and for the Bishop of *Waterford*, he had suffered the Law; and thus this dayes Encounter ended. The next day the particular Articles were enforced, to which the Earl answered in order; nor could any of them appear to be Treason: though true it is, that many misdemeanours himself confessed both in words and actions, though he still urged, that misdemeanours though never so many and great, yet could not make up one Treason. This continued many dayes to the 9. of April. But the Commons had their greatest Charge to bring in against him, which they came by thus; Sir Henry Vane being, as I laid before, thought so trusty as to be admitted into the *juncto* of the Privy Council for consulting of the Scots War, had there taken notes (whether truly or falsely, I know not) from the mouths of the Privy Counsellors, which he had locked up in the shutter of a little Cabinet, and just about this time (to make the discovery more miraculous) The Father had delivered to his Son young Sir Henry his Key to fetch some papers out of his Cabinet, he there finds the Key of the inward shutter, and in it these Notes, which without his Fathers privy, as was alledged, he shews to Mr. Pym, which he soon made use of. At the last breaking up of the Court, the Earl had till the next day allotted him to make what further defence he could for himself; but being taken with a terrible fit of the stone could not appear till the day after, being the tenth of April: When the Commons earnestly wrestled to have liberty to produce what further testimony they could against him, and the Earl craved the same liberty for himself concerning some testimonies not yet

The Civill Warres

exhibited in his behalfs upon which ensued a hot contest between the House of Lords and Commons, the Lords maintaining it to be as reasonable a request for the Defendant as the Plaintiff, or else that all further testimony should be waved on both sides; and the Lords being absolute in this their opinion, the Commons, rose in discontent with ordering any certain day for their next meeting. But on Monday the 20. of *April* the Parliament sate in their distinct Houses, and in the Lower House Mr. Pym produced those notes taken by Sir *Henry Vane*, which caused a conference with the Lords in the afternoon, when Mr. Pym reminds them of the Commons Request on the Saturday last, concerning some supplemental proofs they desired to offer in the Earl of *Straffords* cause acquainting them, that the proofs related to the twenty third Article, and were founded upon the Notes then produced; the Commons moved their Lordships that the Earl might be brought to the Bar the next day, and so accordingly on the thirteenth of *April*. The Earl appearing, the Notes were produced and read, the Title thus. *No danger of a War with Scotland if offensive, not defensive*. Then followed the several Counsellors opinions, with their nominal Letters before thus. "K. C. H. how can we undertake an offensive War, if we have no more Money? L. L. I. R. Borrow of the City one hundred thousand pound, go on vigorously to leavy Ship Money, your Majesty having tried the afflictions of your people, you are absolved and loose from all rules of Government, and to do what power will admit; your Majesty hath tried all wayes, and being refused, shal be acquitted before God and Man: and you have an Army in Ireland which you may employ to reduce this Kingdom to obedience; For I am confident the Scots cannot hold out five Moneths. L. A. R. C. H. You have tried all wayes, and have been alwayes denied. it is now lawfull totake it by force. L. C. O. T. Leagues abroad there may be made for the defence of the Kingdom; the lower House are weary of the King and Church, all wayes shall be just to raise Money in this inevitable necessity, and are to be used being lawfull. L. A. R. C. H. For an offensive not any defensive Warre. L. L. J. R. The Town is full of Lords, put the Commission of Array on foot; if any of them stir, we will make them smart. To this the Earl replied, "That being a Privy Counsellour, he might have the freedom to Vote with others, his opinion being as the exigency of Affairs required. That it were hard measure for opinions refusing from such occasions, and at such debates, to be persecuted under the notion of Treason. As to the main hint suggested from his words, the King had an Army in Ireland, which he might imploy to reduce this Kingdom; he answered, first, that it is proved by the sole testimony of one man (*Secretary Vane*) which is not of validity enough in Law, to create faith in a matter of Debt, much lesse in a case of Life and Death. Secondly, that the Secretaries deposition was exceeding dubious; upon two examinations he could not remember any such words; that the third time his Testimony was various, *But I spake those words, or the like*; and words may be very like in sound, yet differ in sense, as in the words of his Charge, *here for there*, and *that for this*; put an end to the controversie. Thirdly, there were present at debate but eight Privy Counsellours in all, two whereof (the Archbishop of *Conterbury*, and Secretary *Windesbank*) were not to be produced; Sir *Henry Vane* affirmed the words, and he denied them; then there remained but four to give in Evidence to it, the Marquess of *Hamilton*, the Earl of *Northumberland*, the Lord Treasurer, and the Lord *Corington*

of Great Britain and Ireland.

41

1641.

“*vington*, who all had declared upon their Honours, that they never heard him speak these words or the like. Lastly, sayes he, (though I grant it not) suppose that I spake those words, yet cannot the word *this* rationally imply *England*, because the debate was concerning *Scotland*, as is yielded on all hands, because *England* was not out of the way of obedience, as the Earl of *Clare* well observed, and because there was never the least intencion of Landing the Irish Army in *England*, as the aforesaid Lords are able to attest. And having delivered this Answer to the additional proof, the Lord High Steward asked him if he had any more to say in his own defence, for the Court desired to proceed to provide matter for speedy judgement; whereupon the Earl having made a short repetition of his former defence, proceeded thus. “My Lords, there remains another kind of Treason, that I should be guilty of; for endeavouring to subvert the Fundamental Laws of the Land; that this should be Treason together, that is not Treason in any one part, a Treason acumulative, that when all will not do alone, being weaved up with others it should do, seems very strange. “Under favour, my Lords, I conceive there is neither Statute or Common Law doth declare this endeavouring to subvert the Fundamental Laws of the Land to be High Treason; for I have been diligent in the inquiry, as you know it deeply concerns me, and could never discover it. It is hard to be questioned for life and honour upon a Law that cannot be shown; for it is a rule in Sir *Edward Coke*, *de non apparentibus et non existentibus eadem est ratio*. Jesu! Where hath this fire lain hid so many hundred years without smok to discover it, till thus burst forth to consume me and my children; that punishment should precede promulgation of a Law, to be punished by a Law subsequent to the fact is extream hard, what man can be safe if this be admitted? My Lords, it is hard in another respect, that there should be no token where- by we should know this offence, no admonition by which we should avoid it: if a man posse the *Thames* in a Boat, and split himself on an Anchor, and no Buoy be floated to discover it, he who oweth the Auctor shall make satisfaction; but if a Buoy be set there, every man posseth upon his own perill: Now where is the mark, where is the token upon this crime to declare it high Treason. My Lords, be pleased to give that regard to the Peerage of *England* as never expose your selves to such mute points; such constructive interpretations of Laws; if there must be a trial of wits, let the subject matter be somewhat else then the Lives and Honours of Peers; it will be wisdom for your selves, for your posterity, and for the whole Kingdom, to cast into the fire those bloody and mysterious volums of constructive and arbitrary Treason: as the Primitive Christians did their Books of curious Arts, and betake your selves to the plain Letter of the Law and Statute, that tell us what is, and what is not Treason, without being more ambitious to be learned in the art of killing then our forefathers. It is now full two hundred and forty years since any man was touched for this alleged crime to this height before my self; let us not awaken these sleepy Lions to our destructions, by taking up a few musty Records that have lain by the walls so many ages forgotten or neglected. May your Lordships please not to lay this to my other misfortunes, for my other sins beslave me, not for Treason; let not a President be desired from me so disadvantageous, as this will be in the consequence to the whole Kingdom; do not through me wound the interest of the Commonwealth; and howsoever these Gentlemen say they speak for the Commonwealth, yet in this parti-

The Civill Warres

“cular I indeed speak for it, and shew the inconveniences and mischietys which will fall
 “upon it; for as it is laid in the Statute 1. *Hen. 4.* no man will know what to do or say
 “for fear of such penalties; do not put my Lords such difficulties upon Ministers of
 “State, that men of honour and fortune may not with chearfulness and safety be em-
 “ployed for the publick, if you weigh and measure them by grains and scruples, the pub-
 “lick affairs of the Kingdom will lie waste, no man will meddle with them who hath
 “any thing to lole. My Lords, I have troubled you longer then I should have done,
 “were it not for the interest of these dear Pledges a Saint in Heaven hath left me: (at
 “this he stoops a while, offering up some tears to her ashes) what I forfeit my self is nothing,
 “but that my indiscretion should extend to my posterity, it woundeth me to the very
 “soul. You will pardon my infirmity, something I should have added, but am not
 “able, therefore let it passe. And now my Lords, for my self I have been by the bless-
 “ing of Almighty God taught, that the afflictions of this present life are not to be com-
 “pared to that eternal weight of glory which shall be revealed hereafter; and so my
 “Lords, even so, with all tranquillity of mind I freely submit my self to your Judge-
 “ments; and whether that Judgement be of life or death, *Te Deum laudamus.* The
 Earl having ended, Mr. *Glynn*, and afterwards Mr. *Pym* endeavoured by Rhetorical
 declamations, to render his offences as odious as possibly they could; which finished,
 the Commons are next engaged to justifie their charge by Law, as concerning matter
 of Fact, nothing as yet charged upon the Earl appearing under the letter of any Statute
 to be High Treason; for under particular Treasons mentioned in that Statute of the
 twenty fifth of *Edward* the Third, none of his actions fell. But in that Statute there
 was a *Salvo* annexed, whereby it was provided, That because all particular Treasons
 could not then be defined, therefore what the Parliament should declare to be Treason,
 in time to come, should be punished as Treason; and within the compass of that Pro-
 viso they resolve to bring him, and so cut him off by Bill of Attainder. Whereupon
 the Earl demanded Counsel, which the Lords thought it reason to grant him; but the
 Commons denied it, till three dayes after they assent with the Lords, that on the seven-
 teenth of *April*, the Earl should appear with his Counsel, which he did with Mr. *Lane*,
 the Princes Attorney Mr. *Gardner* Recorder of *London*, Mr. *Loe*, and Mr. *Lightsfoot*;
 Mr. *Lane* was the first who spake, and argued that that Statute of the twenty fifth of *Ed-
 ward* the Third was a declarative Law, and so not to be interpreted by way of conse-
 quence, equity, or construction, but by the expresse letter only. That it was a penal
 Law, and so could not admit of constructions or inferences; for penalties are to enforce
 the keeping of the known, not of conjectural and dubious Laws; for the *salvo* it self
 he affirmed, that in the sixth year of *Henry* the Fourth a Petition was preferred in Par-
 liament by the Nobility to have all Treason limited by Statute; that in that Parlia-
 ment, Chapter the tenth, an Act being made upon that Petition, that *salvo* was to be
 repealed in all future times; and that nothing should be esteemed Treason, but what
 was literally contained in the Statute of the twenty fifth of *Edward* the Fourth. The
 rest of the Counsel spake no more, for indeed more fully they could not speak, but only
 confirmed what had been laid by Mr. *Lane*. Whereupon the Lords and Commons Ad-
 journed, the Commons resolving that that should be the last day of the Earls defence.

of Great Britain and Ireland.

CHAP. XXVIII.

45

1641.

The Earl of Strafford Condemned in the Commons House by Bill of Attainder; Petitions against Papists, the Bill of Attainder read at Bar. the Kings Speech about it.

FOR the next day after, the Commons enter into debate concerning the Bill of Attainder, and upon the evidence of Sir Henry Vane's Notes, Vote the Earl guilty of High Treason, and Order the Bill to be engrossed, and to be read in the Houle on the one and twentieth of April, when the final and decretory Vote passed upon him in the Commons Houle, though with some reluctancy, for there were fifty nine Dissenters, among which the Lord Digby was the chief, who made a large and elegant Speech in the Earles behalf, though much to the displeasure of the Houle: And that very afternoon (so eager were the Commons for this Earls destruction) was the Bill transmitted to the Houle of Lords, who finding it to be a businesse of so high concernment, went not so fast on with it as the furious Commons desired; whereupon they were upon the twenty fourth of April to fix a day for its reading, which they promised not to fail to do on the Monday, or Tuesday following: but in the mean time they had found it a businesse so perplext, that they thought it necessary to desire a conference with the Commons, who appointed Mr. St. John the Kings Solicitor on Thursday the twenty ninth of April to justify the Bill by Law, before the Earl at the Bar. Whilest in the mean time the Parliament addresse themselves to the King by way of Petition for three things, viz. "First " For removing all Papists from the Court. Secondly, for disarming of them generally " throughout the Kingdom. And thirdly, for disbanding the Irish Army. To which the King concisely returns these Answers. " First, that they all knew what legall " trust the Crown had in that particular, therefore he should not need to say any thing " to assure them, that he shall use it so, as there should arise no just occasion of scandal. " For the second, he was content it should be done according to Law. And for the third " he had consulted of it and of its difficulties, and did to wish the disbanding of all Ar- " mies that he did conjure them speedily and heartily to joyn with him in disbanding " those two in England. This it was supposed the Commons did some what to shadow their violent proceedings against the Earl. Who on the day appointed was brought to the Bar, and the Bill of Attainder being read, Mr. St. John opened the several branches of it affirming it to be most legal by sundry Presidents and Acts of Parliament which he quoted, and such power had his Arguments over the Peers, that they began to show a Propensity of passing the Bill, and deeming the Earl guilty of High Treason, which they more clearly shewed in their Houle the next day; whereof the King having notice, thought fit to satisfy his own judgement and conscience, by calling both Houses together on the first of May, and telling them, " That because he would not have him- " dered their other occasions, he had no intention to have spoken of that great businesse " of the Earl of Strafford that day: But since it came to passe, that he must have a share " in his judgement, he thought it but necessary to declare his Conscience. That hee " was sure they all knew he had been present both from the beginning to the ending of " that great Cause; and that he must tell them, that in his conscience he could not con- " demn him of Treason; That it was not fit for him to argue the businesse, and he was " sure they would not expect it; for a Positive Doctrine best became the mouth of a " Prince

The Civill Warres

“ Prince: yet he must needs tell them three truths, which he was sure none else could do so well. First, that he never had any intention to bring in the Irish Army, nor was ever advised so to do. Secondly, that there was never any Debate before him, either in publick Councel or private Committee of the disloyalty of his English Subjects. Thirdly, that he was never counselled by any to alter the least of any of the Laws of England, much lesse to alter all the Laws. Nay, he thought no body durst be so impudent as to move him to it; for if they had, he would have made them such an example, as posterity should have known his intentions by it. That he yet desired to bee rightly understood, for though he could not condemn the Earl of High Treason, yet he could not quire him of mildemeanours, and such mildemeanours, that he thought him unfit either to serve himself or the Commonwealth in any place of Trust, no not so much as of a Constable. Therefore he left it to the Lords to finde out some way as might satisfie Justice, and their own fears, and not oppresse his Conscience. This Speech being now contrary to the sense of almost all the Members of both Houses, was so ill relished by them, that they went away in great discontent.

CHAP. XXIX.

The Marriage of the Princeesse Mary; the Tumult of the Londoners; the Commons Protestation, a Bill propounded for Continuation of this Parliament; the Lords passe the Bill of Attaindor

Sunday the second of May being the day after the King had made the afore-cited Speech to both Houses of Parliament, the Marriage between the Princels Mary, eldest Daughter to the King, & the young Prince of Orange, was Solemnized at *White-Hall* with suitable pomp and Magnificence; but in the City the Ministers from their Pulpits were stirring up discontents in the people, concerning the Speech made the day before by the King in behalf of the Earl of *Strafford*, which wrought such effect, that the next day being Monday, about five or six thousand Citizens, most armed with Swords, the others with Staves, came in a tumultuous manner down to *Westminster*, crying out for Justice against the Earle: complaining that their Trading was decayed and they thereby in great want of bread, because Justice was delayed. They applied themselves principally to the Earl of *Montgomery*, who came out of his Coach, and with much ado, and large promises, at length appeased their fury, yet nevertheless, to strike terrour into all such as was not of their party, they posted up at *Westminster* the names of all such who had given their Suffrages in behalf of the Earle, stilling them *Straffordians*. The same day the House of Commons under pretence of a design to distract the English Army in the North, and to render the Parliament displeasing to them, and for a defence against it, frame a Protestation to be taken over all England, “For the maintenance of the true reformed Religion, expressed in the Doctrine of the Church of England, the Power and privileges of the Parliament, & the liberty of the Subject: which Protestation being first read and taken in the Commons House, was sent up next to the Lords, who likewise took it, and an Order was made for its being printed, and for its taking throughout all England. On the fifth of May, a motion was made in the House by one of the Knights for *Lancashire*, that he would procure for his Majesty the Loan of six hundred and fifty thousand pounds, until such time as the Subsidies could be raised, provi-

provided his Majesty would be pleased to passe a Bill, That the Parliament should not be Adjourned, Prorogued, or Dissolved without the consent of both Houses, untill the General Grievances of the Kingdom were redrest: which Motion so pleased the whole House, that a Bill was immediately ordered to be drawn up upon it, and on the sixth of May sent up to the Lords, who had the day before sent word to the Commons, that they having considered and consulted upon the Bill of Attaindor, thought it the safest course to lay that Bill aside, in regard it brought in the King as Judge; wherefore they had agreed to fall upon the several Articles of his Accusation, and then send them their final resolution, which they did; for of forty five Lords then present, twenty six Voted the Earl guilty of High Treason upon two Articles, viz. the fifteenth. *For leaving of Moneys in Ireland by force in a Warlike manner*; and upon the nineteenth. *For imposing an Oath upon the Subjects in Ireland*; which he had done the better to distinguish the Scottish Covenanters there. Of this they give speedy information to the House of Commons, who the next day having passed the Bill for Continuation of the Parliament, in which they desired them to make all convenient speed, in regard they thought it fitting, that that and the Bill of Attaindor might be passed together, in which the Lords answered their desires; and on the eighth of May some Lords were appointed to attend the King with both the Bills, and to request his Answer, which the King told them he would return on the Monday following.

CHAP. XXX.

*The King perplexed what Answers to return the two Bills; he Passed them;
The Earl of Straffords death.*

THE King in the mean time was much perplexed in debates within himself about these two Bills, especially that concerning the Earl of *Strafford*, of whose being guilty of High Treason, he could not yet convince his conscience, though the generous Earl had sometime before by Letter from the Tower solicited his Majesty, "For preventing of such mischiefs as might happen by his refusal to passe the Bill; by that means to remove (says he) (praised be God) he could not say this accused, but (he confessed) unfortunate thing out of the way, towards that blessed agreement which he trusted in God would for ever establish betwixt the King and his Subjects, &c." But after long consultations and advice both with some Bishops and Lawyers, till late on Sunday night, on Monday morning the Parliament again pressing for an Answer of the Bills, the King (whether convinced or over-perswaded, I cannot tell) gave Commission to the Earl of *Arundel*, the Lord Chamberlain, the Lord Privy Seal, and others, for passing of those two Bills; the one for the Earl of *Straffords* Death, which the King could never think of without regret: And the other for the continuance of this Sessions of Parliament during their pleasure; whereby he not only lost his Royal Prerogative, but in the end his life. An Act it was, which instead of one made above four hundred Kings in England; for which the King was not only blamed abroad, but by his own Fool *Archy* at home, who said, "That he did not know whether the King were the greatest Fool to grant it, or they the greater Knaves to ask it. The next day after the passing of these Bills, the King sends a letter to the House of Lords by the Prince of Wales, telling them. "That he had the day before satisfied the Justice of the Nation by passing the Bill of Attaindor against the Earl of *strafford*. But that Mercy being as inherent and inseparable to a King as Justice; he desired in some measure

The Civill Warres

"sure to shew that likewise, by suffering that unfortunate man to fulfill the natural course
 "of his life in close imprisonment; so that if he ever made the least offer to escape di-
 "rectly or indirectly, to meddle in any sort of publick businesse, especially with him,
 "he should dye without process. This if it could be done without the discontentment
 "of his people, would be an unspeakable contentment to him. To which end, as in
 "the first place he did by this latter earnestly desire their approbation; and to endear
 "it the more, had chosen him to carry it, who of all their House was most dear to him;
 "so he desired, that they would by conference desire the Commons contentment like-
 "wise; assuring them that the exercise of the mercy would be no more pleasing to him,
 "then to see both Houses of Parliament consent for his sake, that he should moderate
 "the severity of the Law in so important a case; he would not say that their complying
 "with him in this intended mercy, should make him more willing, but it would cer-
 "tainly make him more chearfull in granting their just Grievances. But if no less then
 "his life would satisfie the people, he must say, *Fiat Justitia*; and so again recom-
 "mended the consideration of his intention to them. At the bottom of the Letter
 "as a Postscript he added, "That if he must dye, it would be charity to reprieve him
 "till Saturday. Upon receipt of this Letter, the Lords the same day exprest themselves
 "to this effect. That this Letter all written with the Kings own hand, Wee the Peers
 "have received in Parliament, delivered by the hands of the Prince. It was twice read
 "in the House, and after serious but sad consideration, the House resolved presently to
 "send twelve of the Peers Messengers to the King, humbly to signifye, that neither of
 "the two intentions exprest in the Letter, could withdury in us, or without danger to
 "his Consort the Queen, and all the young Princes their Children, be possibly admit-
 "ted; which being accomplished, and more expressions offered, his Majesty suffered no
 "more words to come from us, but out of a fullness of his heart to the obseruance of Ju-
 "stice, and for the contentment of his people, told us, That: *what hee intended by his*
 "*Letter, was with an [if] if it may be done without discontentment to his people: if it cannot*
 "*be, I say again, the same I wrote, Fiat Justitia.* My other intention proceeding out
 "of Charity for a few dayes respite, was upon certain information, that his Estate was so
 "distracted that it necessarily required some few dayes respite for settlement thereof. Where-
 "unto the Lords answered, Their purpose was to be suitors to his Majesty, for favour
 "to his innocent Children, and that their Fathers provision for them might be confir-
 "med, which was very pleasing to the King; who thereupon departed from the Lords.
 "At his Majesties departure we offered up into his hands the Letter it self which he had
 "sent, but he was pleased to say, what I have written to you, I shall be content it be
 "registred by you in your House, in which you see my mind, I hope you will use it to
 "my honour. This was that which at the Return of the Lords from the King was re-
 "ported to the House by the Lord Privy Seal. And accordingly on Wednesday, May
 "the twelfth, the fatal day appointed for this great and wise Earls fall: He was conducted
 "from the Tower by a Guard of the Trained Bands, before him went the Marshalls men,
 "next them the Sheriffs Officers with Halberts; then the Wardens of the Tower; then
 "the Earls Gentleman Usher bare, after whom came the Earl himself accompanied with
 "the Lord Primare of Ireland, and some others: at his coming forth of his prison, hee
 "was to passe by the Archbishop of Canturbury's Lodging, whom he perceived looking
 "out of his Window, and casting up his eyes, made an obeysance to him, saying with-
 "all,

of Great Britain and Ireland.

47

1641.

all, *My Lord, your Prayers, and your blessing.* The Archbishop was at first somewhat astonished with grief, but after a little Recollection said, "That he doubted not but when his own turn came, God would strengthen him, that he should taste of that bitter Cup with a most Christian courage. The Earl being come out of the Tower, the thronging people were very inquisitive in demanding *which was he?* Whereupon pulling off his Hat, he meekly told them, *I am the Man, good people.* Being come upon the Scaffold, he address himself to the Lord Primate of Ireland, whom he told, "That it was a great comfort to him to have his Lordship by him that day; that he thanked God and his Lordship for it, in regard that he had been known to him these many years. That he should be very glad to obtain so much silence as to be heard a few words, but he doubted he should not; (yet he continued to this effect.) I am come hither (says he) by the good will and pleasure of the Almighty, to pay the last debt which I owe to sin, which is Death; and to submit to that judgement which hath passed against me, I do it with a contented and quiet mind. I thank God I do freely forgive all the world: I thank God, I can say it, and that truly too, and my Conscience bears me witness, That in all my Employment since I have had the honour to serve his Majesty, I never had any thing in my purpose of heart, but what tended to the joynt and individual prosperity of King and people; although it hath been my ill fortune to be misconstrued. There is one thing I desire to free my self of, and I am confident I shall obtain your Christian charity in the belief of it: I did always think the Parliaments of *England* the happiest Constitutions that any Kingdom or Nation lived under; and next under God the best means to make the King and his people happy: so far have I been from being against Parliaments. For my death, I here acquit all the world, and beseech the God of Heaven heartily to forgive them that contrived it, though in the intentions of my heart I am not guilty of what I die for. And it is a great comfort to me, that his Majesty conceives me not meriting so severe and heavy a punishment, as is the uttermost execution of this Sentence. I wish this Kingdom all the prosperity and happiness in the world; I ever did it living, and now dying it is my wish: yet I earnestly desire every one that hears me to consider seriously, whether the Reformation of a Kingdom should be written in Letters of blood? Let me never be so unhappy, as that the least drop of my blood should rise up in Judgement against any one of you; I acquit you all, but fear you are in a wrong way. My Lord, I here profess, and with that I shall end, that I do dye a true and obedient Son to the Church of *England*, wherein I was born, and in which I was bred, Peace and Prosperity be ever to it. I desire heartily the forgiveness of every one, for any rash and unadvised Act, or for any thing done amiss; and so my Lords and Gentlemen, farewell: Farewell all things of this world. This is the summe and subject of his Speech: which ended, he prayed for near a quarter of an hour; then rising from his Knees, gave this charge for his Son *William Wentworth*, "That he should serve God, and submit to his King with all Faith and Allegiance in things Temporal, and to the Church in things Spiritual; giving him charge never to meddle with the Patrimony of the Church; for it would be the Canker that would eat out the rest of his Estate. Charging him this again, as he would answer it in Heaven. Then he address himself to the Block, and having prayed a while, gave token to the Executioner of his readinesse, who at the first stroke severed his head from his body. Thus fell

1641.

fell *Sirafford*, and thus begun *Englands* Scaffolds at first to be imbrewed with his (if I may not say innocent, yet at least) blood undeserving so severe punishment; which I am sure yet drew after it many thousand innocent lives. A man he was of such rare qualities and endowments, that it will be impossible for my pen to set him out, I shall therefore leave him with that Character which King *Charles* himself gave of him, when he said, "That he looked upon my Lord of *Sirafford* as a Gentleman, whose great abilities might make a Prince rather afraid then ashamed to trust him in the greatest Affairs of State.

C H A P X X X I.

Several Officers of State surrender their places: The English Army discontented: The Bills for Pole-money, and abolishing the High Commission, and Star-Chamber.

THE Execution of the Earl of *Sirafford* made many of the great Officers of State, fearing lest their greatnesse or some mens envy might bring them into some such like Premunire, think it better to surrender their places then run the hazard, especially in such envious and malicious times; so the Lord *Corington* leaves his place of Master of the Wards, which is conferred upon the Lord *Say*; Dr *Fuxon* Bishop of *London* resigns his place of Lord High Treasurer, for the management of which five Commissioners are appointed by the King; the Marquels of *Hartford* is sworn Governour of the Prince, in the room of the Earl of *Newcastle*, whom the Parliament after pretended to be a Papist; and the Earl of *Essex* is made Lord Chamberlain of the Kings Household in the place of *Pembroke*; and in stead of the late beleheaded Earl of *Sirafford*, the Earl of *Leicester* is made Lord Lieutenant of *Ireland*. The three last of these Offices were changed by advice of Parliament, the other willingly resigned. In the mean time there arises a great discontent in the English Army, and huge talk of a mighty plot against the Parliament, which was (as pretended) a marching before the Earl of *Sirafford*s Death, and intended for his Rescue; but afterwards put foreward upon a discontent the Army thus receiued. The Parliament had Voted the Scots three hundred thousand pounds, whereof one hundred thousand pounds should be paid at Midsummer 1642. and the Remainder at Midsummer 1644. But the Scots in the mean time by writing, pretend great necessity for the supply of their Army, and demand at present 25000. which the Parliament it seems were very willing to grant; for though they had but fifteen thousand pounds in a readynesse, yet they make bold to borrow ten thousand pounds out of the 50000. pounds lately appointed for the supply of the English Army, who were in far greater necessity then the Scots. Whereupon the Lord *Piercy* (who with several other Officers of the Army sate in the House) stood up and told the Speaker, "That if such papers of the Scots could procure Moneys, hee doubted not but the Officers of the English would do the like. But he prevailed not to prevent the Scots having the Money; whereupon the English Army muttered, that the Parliament had disobliged them, and in a private Juncto resolve to draw up a Paper by way of Petition to King and Parliament, desiring first Money for their Army: secondly, not to disband before the Scots; thirdly, to preserve Bishops Votes and Functions: and fourthly, to settle the Kings Revenue. The chief Actors in this businesse, were Sir

James

of Great Britain and Ireland.

49

1641.

*James Ashby, Sir John Conniere, Colonel Pausar, Colonel Leg, Oneale, and others who were had under examination, but were cleared. Yet the Parliament made use of these and such like things to the scandalizing of the King, and endeavouring to render him suspected by the people, & themselves more capable of pursuing those grand designs they had in hand, of nipping his Royalty and Prerogative, which they proceed to do; first, by passing a Bill against Tunnage and Poundage, which though they do not clearly take away, yet they will not have it taken by the King as a Duty, but only as a Gift given unto him for some limited time of necessity, as they now granted it. Yet the King having passed this, tells them, "That he did accept of this as a testimony & beginning of their dutifull affections, & that in due time they would perform their promises w^h they had leasure; and he doubted not but they would see by his passing of that Bill, the trust he had in their affections, wishing it reciprocally to theirs to him; For by this (says he) I freely and frankly give over the Right of my Predecessors, though challenged and disputed in their times, yet never yielded till now. By which they saw how much he put himself upon their affections for subsistence, &c. This done, the Parliament begin to think it high time to take some care to be rid of the Scottish Army, which for so many months had lain upon the English Charge, and in their Country too, only to serve the Parliament, and in some measure to awe the King to a Concession of such demands as they should make for the securing of their Power, and abasing of his, for now they think themselves safe enough in the Saddle: but to do this, and likewise pay off the English Army, a great sum of money must necessarily required; whereupon they Vote six subsidies to be raised, and besides that, the seldom heard of Tax of Pole-money, wherein the whole Kingdome was assessed according to their degrees, viz. Every Duke at an hundred pound, a Marquess at four-score pounds, Earls at three-score pounds, Viscounts, and Barons at fourty pounds, Knights of the Bathe thirty pounds, Knights Bachelors at twenty pounds, Esquires at ten pounds, and every Gentleman expending one hundred pounds *per annum* ten pounds. Nor was the meanest Head in the Nation excused his fixpence, whereby vast summes of Money were raised, part of which (as suspected by some, if not the greatest part) was afterwards employed by the Parliament in their Wars against the King. this Bill the two Houles presented to the King, accompanied with two others, one for putting down the High Commission Court, the other for abolishing the Star Chamber. These two last the King was willing to have deliberated sometime upon, and would at first have only passed the Bill for Pole-Money, which the House of Commons being advertised of, Voted, that all three should be passed, or none at all, notwithstanding which the King passed that for Pole-money, and demurred on the other two, till understanding the discontents of the Parliament, three dayes after he came to the House of Lords; where he told them, "That he could not but be sensible of those reports of discontent, which he had heard was taken by some for his not passing those Bills before, and that he thought it very strange that two things of so great importance should be expected from him without an allowance of time to consider of them. "that he wondered how they could possibly harbour any discontent, if they did but remember how much and what he had done for this Parliament; as his passing the Bill, "that the Judges hereafter should hold their places, *Quam diu se bene gesserint*; his bounding the Forrest Laws, taking away Ship-money, Establishing the Subjects property in Tunnage and Poundage, granting the Bill for Triennial Parliaments, free*

1641.

fell *Strafford*, and thus begun *Englands* Scaffolds at first to be imbrowed with his (if I may not say innocent, yet at least) blood undeserving so severe punishment; which I am sure yet drew after it many thousand innocent lives. A man he was of such rare qualities and endowments, that it will be impossible for my pen to set him out, I shall therefore leave him with that Character which King *Charles* himself gave of him, when he said, "That he looked upon my Lord of *Strafford* as a Gentleman, whose great abilities might make a Prince rather afraid then ashamed to trust him in the greatest Affairs of State.

CHAP XXXI.

Several Officers of state surrender their places: The English Army discontented: The Bills for Pole-money, and abolishing the High Commission, and Star-Chamber.

THE Execution of the Earl of *Strafford* made many of the great Officers of State, fearing lest their greatnesse or some mens envy might bring them into some such like Premunire, think it better to surrender their places then run the hazard, especially in such envious and malicious times; so the Lord *Cottington* leaves his place of Master of the Wards, which is conferred upon the Lord *Say*; Dr *Fuxon* Bishop of *London* resigns his place of Lord High Treasurer, for the management of which five Commissioners are appointed by the King; the Marquess of *Hartford* is sworn Governour of the Prince, in the room of the Earl of *Newcastle*, whom the Parliament after pretended to be a Papist; and the Earl of *Essex* is made Lord Chamberlain of the Kings Household in the place of *Pembroke*; and in stead of the late beleaded Earl of *Strafford*, the Earl of *Leicester* is made Lord Lieutenant of *Ireland*. The three last of these Offices were changed by advice of Parliament, the other willingly resigned. In the mean time there arises a great discontent in the English Army, and huge talk of a mighty plot against the Parliament, which was (as pretended) a hatching before the Earl of *Strafford*s Death, and intended for his Rescue; but afterwards put forward upon a discontent the Army thus received. The Parliament had Voted the Scots three hundred thousand pounds, whereof one hundred thousand pounds should be paid at Midsummer 1642. and the Remainder at Midsummer 1644. But the Scots in the mean time by writings, pretend great necessity for the supply of their Army, and demand at present 25000. which the Parliament it seems were very willing to grant; for though they had but fifteen thousand pounds in a readynesse, yet they make bold to borrow ten thousand pounds out of the 50000. pounds lately appointed for the supply of the English Army, who were in far greater necessity then the Scots. Whereupon the Lord *Piercy* (who with several other Officers of the Army late in the House) stood up and told the Speaker, "That if such papers of the Scots could procure Moneys, hee doubted not but the Officers of the English would do the like. But he prevailed not to prevent the Scots having the Money; whereupon the English Army muttered, that the Parliament had disobliged them, and in a private Junctio resolve to draw up a Paper by way of Petition to King and Parliament, desiring first Money for their Army: secondly, not to disband before the Scots; thirdly, to preserve Bishops Votes and Functions: and fourthly, to settle the Kings Revenue. The chief Actors in this businesse, were Sir

James

of Great Britain and Ireland.

49
1641.

James Ashby, Sir John Conniers, Collonel Vavasor, Collonel Leg, Oneale, and others who were had under examination, but were cleared. Yet the Parliament made use of these and such like things to the scandalizing of the King, and endeavouring to render him suspected by the people, & themselves more capable of pursuing those grand designs they had in hand, of nipping his Royalty and Prerogative, which they proceed to do; first, by passing a Bill against Tunnage and Poundage, which though they do not clearly take away, yet they will not have it taken by the King as a Duty. but only as a Gift given unto him for some limited time of necessity; as they now granted it. Yet the King having passed this, tells them, "That he did accept of this as a testimony & beginning of their dutifull affections, & that in due time they would perform their promises w^h they had leasur^e; and he doubted not but they would see by his passing of that Bill, the trust he had in "their affections, wishing it reciprocally to theirs to him: For by this (says he) I freely "and frankly give over the Right of my Predecessors, though challenged and disputed in their times, yet never yielded till now. By which they saw how much he put him- "self upon their affections for subsistence, &c. This done, the Parliament begin to think it high time to take some care to be rid of the Scottish Army, which for so many months had lain upon the English Charge, and in their Country too, only to serve the Parliament, and in some measure to awe the King to a Concession of such demands as they should make for the securing of their Power, and abasing of his; for now they think themselves safe enough in the Saddle: but to do this, and likewise pay off the English Army, a great sum of money must necessarily required; whereupon they Vote six subsidies to be raised, and besides that, the seldom heard of Tax of Pole-money, wherein the whole Kingdome was assessed according to their degrees, viz. Every Duke at an hundred pound, a Marquess at four-score pounds, Earles at threescore pounds, Viscounts, and Barons at forty pounds, Knights of the Bath thirty pounds, Knights Bachelors at twenty pounds, Esquires at ten pounds, and every Gentleman expending one hundred pounds *per annum* ten pounds. Nor was the meanest Head in the Nation excused his pence, whereby vast summes of Money were raised, part of which (as suspected by some, if not the greatest part) was afterwards employed by the Parliament in their Wars against the King. this Bill the two Houses presented to the King, accompanied with two others, one for putting down the High Commission Court, the other for abolishing the Star Chamber. These two last the King was willing to have deliberated sometime upon, and would at first have only passed the Bill for Pole-Money, which the House of Commons being advertised of, Voted, that all three should be passed, or none at all, notwithstanding which the King passed that for Pole-money, and demurred on the other two, till understanding the discontents of the Parliament, three dayes after hee came to the House of Lords; where he told them, "That he could not but be sensible of "those reports of discontent, which he had heard was taken by some for his not passing "those Bills before, and that he thought it very strange that two things of so great importance should be expected from him without an allowance of time to consider of them. "that he wondered how they could possibly harbour any discontent, if they did but remember how much and what he had done for this Parliament; as his passing the Bill, "that the Judges hereafter should hold their places, *Quam diu se bene gesserint*; his "bounding the Forrest Laws, taking away Ship-money, Establishing the Subjects property in Tunnage and Poundage, granting the Bill for Triennial Parliaments, free

th his (if
ent; which
of such rare
our, I shall
him, when
hole great
the greatest

ntel: The
chamber.

ers of State,
to some such
d, especially
ce of Master
p of London
ve Commis-
governour of
ter pretend-
Kings Hou-
strafford, the
hele Offices
In the mean
mighty plot
Earl of Straf-
on a discon-
three hundred
Midsummer
ean time by
nd at present
though they
ow ten thou-
English Ar-
Lord Piercy
and told the
ubated not but
prevent the
e Parliament
y way of Pe-
econdly, not
ctions: and
le, were Sir
James

The Civill Warres

“ Justice against Delinquents, &c. concluding to allgraciously, that he would omit nothing which should give them just content. And so hee passed the other two Bills, (thus every day more and more giving way to the declension of his Royal Perogative) which done, he propounds to the Parliament the desires of his Nephew the Prince Elector *Palatine*, which were, that he should send an Embassadour to the Diet then to be held at *Ratisbone*; and fearing lest in that Negotiation he should not receive so good an answer as he might in justice expect, he intended in his own Name to publish a *Manifesto*, which he yet would not resolve upon, but by consent and advice of Parliament: and therefore referred it to their consideration: to which they readily assented, and Sir *Thomas Roe*, a Member of the House of Commons was sent to the Emperour at *Ratisbone* about it, but without successe. About this time the Queen Mother of France, *Maria di Medices*, who sometime before had departed out of England, dyed at *Colcen* (whether she had repaired, accompanied with the Earl of *Arundel*) who likewise soon after followed her fate; and shortly after the Earl of *Holland* was made General for the disbanding of the two Armies, whereby the Nation was for the present rid of that vast Charge.

CHAP. XXXII.

The Judges Questioned about Ship Money: The Kings Journey to Scotland; Disorders thereupon.

And now the Parliament begin again to take time to look after their long intended calling to account of those Judges who had formerly given their opinion for ship-money, to wit, Judge *Bramston*, Baron *Treuer*, Baron *Weston*, Baron *Devenport*, and Judge *Crawly*, whole Charges respectively were brought in by several Members of the House of Commons, who in set Rhetorical Speeches endeavoured the aggravating of their Crimes: but against Judge *Barkley* there was brought in a Charge of High Treason, though I could never hear that any of them suffered. They likewise to please the Presbyterian Party, who were those that were like to stick to them, and were they indeed who had raised them to the height they were now grown to, make an Order for taking away of all scandalous (as they were pleased to term them) Pictures, Crosses, and Figures within the Churches, as they did not long after those without; for nothing could escape their Clutches; not the very signs and sign-posts could be quiet; nothing that had the least form of a Crosse, but was accounted superstitious and damnable, and this businesse was committed to the busie brain of Sir *Robert Harloc*. The King had sometime before this given intimation to the two Houses of his intended Journey into Scotland, and had so far prepared for it, that he was now even ready to set forth, when the Parliament send to him to desire him that he would yet defer it for a fortnight longer, in regard there were many Bills of great importance for settlement of the Government of the Kingdom in his absence to be passed; to which the King answered, That they had had sufficient warning of his intended Progresse, and therefore might have hastened their businesse to that purpose; however the same day he passed such Bills as were in readinesse; as a Bill for Knighthood, another for free making of Gun-powder and Salt-Peter, and some other concerning private Affairs: He likewise Commissioned the Lord Keeper, the Lord Privy Seal, the Earl of *Lindsey*, the Earl of *Essex*, the Marquess of *Hartford*, the Earl of *Bath*, and the Earl of *Dorset* to passe the Bills in

of Great Britain and Ireland.

51

his absence; he likewise signed another Bill, constituting the Earl of *Essex* General of all his Forces on this side of the *Trent*, by which Commission power was granted him to raise Forces in time of necessity; but he denied the Earl of *Pembroke* to be made Lord High Steward of *England* in place of the Earl of *Arundel*, who was absent; and that the Earl of *Salisbury* should be made Lord Treasurer. On the tenth of August the King took his Journey towards *Scotland*, (the Parliament having the Sunday before sat in the House from morning to night, though they Voted it should be no president to any other Court of Judicature, &c. to draw this into example for their encouragement, in neglecting the due observance of the Sabbath) whilest in the mean time the Parliament adjourned until the Twentieth of *October*, leaving only a standing Committee of the House of Commons, consisting of fifty Members, to consult of matters during the Recels. During the Kings absence in *Scotland*, di orders began to be more risen then formerly they were; Learning and the Orthodox Party being utterly discountenanced, and all manner of Sects, Schisms, and Heresies connived at by the Members of Parliament; the Publick Service used in the Church of *England* ever since the first Reformation, publicly despised and torn in pieces, whilest Pub Preachings and Conventicle-Lectures were listened to as to Oracles.

The Parliament sit on Sunday.

Parliament adjourned.

CHAP. XXXIII.

The breaking forth of the Irish Rebellion.

But now begins the Scene to appear more Tragical; the Scottish Rebellions though in themselves in nature and consequence bad enough, yet held not any parallel with one which on the three and twentieth day of *October* broke out in *Ireland*: A Rebellion without doubt which had required no small time of Contrivance, to general was the infection; yet so closely carried, that not any the least suspicion was had, except the bare apprehensions of Sir *William Cole*, who on the eleventh of *October* writ a Letter to Sir *William the Lords Chief Justices*, intimating the great resort which daily came to Sir *Phelim am Cole O'neal*, in the County of *Tyrone*, and to the Lord *Macguire*, in the County of *Fermanagh*; suspects some persons both absolutely fitted (for any bloody villainous, or rebellious design) danger. besides the many Journeys made by *Macguire* into the *Pale*, and his continually being busied about Letters and Dispatches, rendered him the more suspected by Sir *William Cole*; who though his first was taken little notice of, (such a bloody design not being able to creep into the breast of any one, but its horrid Contrivers) yet he so far used his endeavours, that by the means of several Irish, the whole Plot was revealed to him, which by Letters of the one and twentieth of *October* he signified to the Lords Chief Justices; but the Letters miscarried, so the design went on. For the effecting of the main part of which (*viz.* the seizing of the Castle at *Dublin*) which besides the great quantity of Arms in it, was the place of the residence of the Lords Justices, whose surprisal would very much have furthered the Rebellion; many of the Papiist Gentry repaired privately too and about *Dublin*, that they might be ready on the night appointed to execute their intended surprize; but strangely and indeed miraculously were they prevented in this grand part of their design; for one *Owen O'connally* an Irish Gentleman, but of English Education and Protestant Religion, having formerly been intimate with *Hugh Oge Mac-Mahon* was by him some few days before invited from *Mo-*

His Letters miscarry.

Owen O'connally reveals the design.

more

1641.

neymore in the County of *London Derry*, to come to him to *Conmer* in the County of *Monogham*; he came accordingly, but at his arival there he found *Hugh Mac-Mahon* gone to *Dublin*, whither he followed him, and arrived there the two and twentieth of *October* at six of the clock in the evening, and immediatly went to seek for *Mac-Mahon*, whom he found at his Lodging, and by whom he was conducted to seek out the Lord *Macguire*; whom they not finding, returned back again, where in some private discourse *Hugh* told him, that that night a great number of the Irish Noblemen Papists would arrive in *Town*, who with himself would seize the Castle by morning, then force the City with the Ordnance, and destroy all the Protestants; that others were appointed to seize on other places in all parts of the Kingdom, and to fall upon the English every where at the hour designed, which was ten of the clock the next morning; and that it was impossible by any posting or speed to prevent it: however *Connally* moved *Mac-Mahon* rather to discover it to the State to prevent the mischief; to which he answered: That they owed their Allegiance to the King, and would pay it to him: but what they did was against the Tyrannical Government over them; and to imitate *Scotland* who got their privileges by the same course; swearing that they would not now part, but go together to the Castle, and that if the businesse were betraid, some body should die for it: Nevertheless *Connally* feigning some necessity of easment, leaving his Sword in pawn, came out of the Chamber, *Mac-Mahon's* man following him into the Yard, yet in a trice escaped over a Wall and two pales, and so came to the Lord Justice *Paysons*, to whom he declared the businesse, but so stammeringly, and himself so much distempered, that the Lord Justice seemed to give little credit to it, however with speed and secrecy he ordered strong Guards in every corner; and having imparted it to Sir *John Burlace*, Sir *Thomas Rotheram*, and Sir *Thomas Meridith* Chancellor of the Exchequer, before whom *Connally* was about ten of the clock at night examined, when he gives a more sober and serious relation then he had done before of his being with *Mac-Mahon*, and of the severall passages between them, much to the effect above-written; whereupon the Justices instantly lends and seizes *Mac-Mahon* and his man, who being brought before them, without more ado confessed the whole Plot, that that very day all the Forts and Castles in *Ireland* would be surprized; that he with the Lord *Macguire*, *Hugh Birne* Captain *Brian O'neale*, and others were come to surprize *Dublin* Castle, twenty out of each County being to meet, were to joyn with them there. The Plot being thus detected, *Macguire* and others are immediatly seized on; the Counsel in the mean time removed into the Castle, in regard of the great confluence of strangers which they perceived to flock to the Town, *Hugh Birny*, *Roger Moor*, *Plunket* and *Fox* having sufficient reasons of the discovery, escaped over the River, though near thirty in all were taken. The design being thus happily prevented in *Dublin*, it was the great care of the Lords Justices to endeavour a prevention of it in other parts also; which they did by publishing a Proclamation, "Of the Discovery of a disloyal and detestable conspiracy intended by some evil affected Irish Papist, against the lives of the Lords Justices and Council, and others his Majesties faithful Subjects throughout this Kingdom: They therefore required all good Subjects to betake themselves to their own Defence; and advise them with all speed of the Occurrences which might concern the peace of the Kingdom; and that care be taken that no Leavies be made of men, or any man to march upon any pretence soever. But this proved to little purpose; for it was gone too far to be

The design.

Mac-Mahon taken.

Proclamation of the Discovery.

so easily stopped, the Lord *Blany* that night coming into *Dublin* with the news of the surprisal of his Castle, Wife, and Children, by the Rebels in *Monraghan*.

C H A P. XXXIV.

The Lords Justices of Ireland prepare for Defence, Their Letters to the King and Parliament of England; The general Defection at Ulster: The Rebels Delaration.

THE continued news of the Warlike proceedings of the Rebels brought to *Dublin* by the flying and persecuted English, made the Council very earnest in preparing for their own defence; they found in *Dublin* stores, Arms for ten thousand men, with Artillery, Powder, Match, and Lead proportionable; but how to get men to these Arms they knew not, both the Officers and Souldiers of the late standing Army beeing dispersed into all parts of the Kingdom; and perhaps many of the common Souldiers (discontented as much at their disbanding lately, as at their not being permitted to go over into the service of the King of Spain) had many of them taken part with the Rebels, so that it was almost thought impossible to raise such a number as might be able to defend *Dublin*, much less make head against the Rebels in the North: But that which was the greatest inconvenience of all was the want of money, the Exchequer being empty and the Kings Revenues and the English Rents for the last half year were either in Tenants or Collectors hands, and so sure to fall into the Rebels possession. To supply these necessities Letters are dispatched to the King in *Scotland*, declaring the sad condition of the Kingdom; that they now only depended upon Gods assistance, the fidelity of the old English Pale, and help out of *England*; that their Army consisted but of two thousand Foot, and a thousand Horse, and those quartered in remote Garrisons, that they would very hardly be drawn together. These Letters were sent the one to Secretary *Vane* in *Scotland*, where the King then was, by Sir *Henry Spoffwood*; the other to the Lord Lieutenant in *England* by *Owen Oconnally*, the first discoverer of the Plot; to which Letter the Lords Justices had added a postscript, desiring that a reward might be given unto him, as a mark of the Kings bounty for his discovery, which soon after was done by the Parliament, who ordered him five hundred pounds ready money, and two hundred pounds *per annum* Pension till a greater Estate in Land could be seized upon him: But in the mean time the Rebels in *Ulster* under the Conduct of Sir *Phelim Oneale* assisted by *Turbick Oneale* his Brother, *Rory Macguire*, Brother to the Lord *Macguire*, *Philip O Rely*, *Maluerce O Rely*, *Sir Conno MacGennes Call*, *Mack Ruian*, and others, had possessed themselves of all the strong places in *Ulster*, *London Derry*, *Colreigne*, the Town and Castle of *Eniskellen* excepted: Those places which the English defended, and they could not either surprize by Treachery, or take by plain force, they had surrendered to them upon composition and Articles which they afterwards most perfidiously broke, butchering and massacring the poor English without pity or compassion to age or sex, though they still spared the Scottish Plantations in *Ulster*, because of their numbers; and likewise for fear of the Scottish Army so easily to be transported into the North parts of *Ireland*, till such time as their General Sir *Phelim Oneale*, (one of the race of the late bloody Earl *Tyrene*, of English Education, a Gentleman of *Lincolns-Inn*, and a professed Protestant till some time before) having gathered together an innumerable Rable of the Natives who daily flocked in to him, fell upon their quarters; where

The Rebels perfidiousness & cruelty.

1641. *neymore in the County of London Derry, to come to him to Conmer in the County of Monogham; he came accordingly, but at his arival there he found Hugh Mac-Mahon gone to Dublin, whither he followed him, and arrived there the two and twentieth of October at six of the clock in the evening, and immediately went to seek for Mac-Mahon, whom he found at his Lodging, and by whom he was conducted to seek out the Lord Macguire; whom they not finding, returned back again, where in some private dis-*

The design.

courte Hugh told him, that that night a great number of the Irish Noblemen Papists would arrive in Town, who with himself would seize the Castle by morning, then force the City with the Ordnance, and destroy all the Protestants; that others were appointed to seize on other places in all parts of the Kingdom, and to fall upon the English every where at the hour designed, which was ten of the clock the next morning; and that it was impossible by any posting or speed to prevent it: however Connally moved Mac-Mahon rather to discover it to the State to prevent the mischief; to which he answered: That they owed their Allegiance to the King, and would pay it to him: but what they did was against the Tyrannical Government over them; and to imitate Scotland who gat their priviledges by the same course; swearing that they would not now part, but go together to the Castle, and that if the businesse were betrayed, some body should die for it: Neverthelesse Connally feigning some necessity of easment, leaving his Sword in pawn, came out of the Chamber, Mac-Mahons man following him into the Yard, yet in a trice escaped over a Wall and two pales, and so came to the Lord Justice Parsons, to whom he declared the businesse, but so stammeringly, and himself so much distempered, that the Lord Justice seemed to give little credit to it, however with speed and lecrecy he ordered strong Guards in every corner; and having imparted it to Sir John Burlace, Sir Thomas Rotheram, and Sir Thomas Meridith Chancellor of the Exchequer, before whom Connally was about ten of the clock at night examined, when he gives a more sober and serious relation then he had done before of his being with Mac-Mahon, and of the several passages between them, much to the effect above-written; whereupon

Mac-Mahon taken.

the Justices instantly send and seizes Mac-Mahon and his man, who being brought before them, without more ado confessed the whole Plot, that that very day all the Forts and Castles in Ireland would be surprized; that he with the Lord Macguire, Hugh Birne Captain Brian Oneale, and others were come to surprize Dublin Castle, twenty out of each County being to meet, were to joyn with them there. The Plot being thus detected, Macguire and others are immediately seized on; the Counsel in the mean time removed into the Castle, in regard of the great confluence of strangers which they perceived to flock to the Town, Hugh Birny, Roger Moor, Plumket and Fox having sufficient items of the discovery, escaped over the River, though near thirty in all were taken. The design being thus happily prevented in Dublin, it was the great care of the Lords Justices to endeavour a prevention of it in other parts also; which they did by publishing

Proclamation of the Discovery.

a Proclamation, "Of the Discovery of a disloyal and detestable conspiracy intended " by some evill affected Irish Papist, against the lives of the Lords Justices and Council, and others his Majesties faithful Subjects throughout this Kingdom: They therefore required all good Subjects to betake themselves to their own Defence; and advertise them with all speed of the Occurrences which might concern the peace of the Kingdom; and that care be taken that no Leavies be made of men, or any man to march upon any pretence soever. But this proved to little purpose; for it was gone too far to be

of Great Britain and Ireland.

53

so easily stopped, the Lord *Blany* that night coming into *Dublin* with the news of the surprisal of his Castle, Wife, and Children, by the Rebels in *Monnaghan*.

CHAP. XXXIV.

The Lords Justices of Ireland prepare for Defence, Their Letters to the King and Parliament of England; The general Defection at Ulster: The Rebels Declaration.

THE continued news of the Warlike proceedings of the Rebels brought to *Dublin* by the flying and persecuted English, made the Council very earnest in preparing for their own defence; they found in *Dublin* stores, Arms for ten thousand men, with Artillery, Powder, Match, and Lead proportionable; but how to get men to these Arms they knew not, both the Officers and Souldiers of the late standing Army being dispersed into all parts of the Kingdom; and perhaps many of the common Souldiers (discontented as much at their disbanding lately, as at their not being permitted to go over into the service of the King of *Spain*) had many of them taken part with the Rebels, so that it was almost thought impossible to raise such a number as might be able to defend *Dublin*, much less make head against the Rebels in the North: But that which was the greatest inconvenient of all was the want of money, the Exchequer being empty and the Kings Revenues and the English Rents for the last half year were either in Tenants or Collectors hands, and so sure to fall into the Rebels possession. To supply these necessities Letters are dispatched to the King in *Scotland*, declaring the sad condition of the Kingdom; that they now only depended upon Gods assistance, the fidelity of the old English Pale, and help out of *England*; that their Army consisted but of two thousand Foot, and a thousand Horse, and those quartered in remote Garrisons, that they would very hardly be drawn together. These Letters were sent the one to Secretary *Vane* in *Scotland*, where the King then was, by Sir *Henry Spotswoods*; the other to the Lord Lieutenant in *England* by *Owen Oconnally*, the first discoverer of the Plot; to which Letter the Lords Justices had added a postscript, desiring that a reward might be given unto him, as a mark of the Kings bounty for his discovery, which soon after was done by the Parliament, who ordered him five hundred pounds ready money, and two hundred pounds *per annum* Pension till a greater Estate in Land could be settled upon him: But in the mean time the Rebels in *Ulster* under the Conduct of Sir *Phelim Oneale* assisted by *Turbick Oneale* his Brother, *Rory Macguire*, Brother to the Lord *Macguire*, *Philip O Rely*, *Maluerce O Rely*, Sir *Conno MacGennes Call*, *Mack Ruian*, and others, had possessed themselves of all the strong places in *Ulster*, *London Derry*, *Colreigne*, the Town and Castle of *Eniskellen* excepted: Those places which the English defended, and they could not either surprize by Treachery, or take by plain force, they had surrendered to them upon composition and Articles which they afterwards most perfidiously broke, butchering and massacring the poor English without pity or compassion to age or sex, though they still spared the Scottish Plantations in *Ulster*, because of their numbers; and likewise for fear of the Scottish Army so easily to be transported into the North parts of *Ireland*, till such time as their General Sir *Phelim Oneale*, (one of the race of the late bloody Earl *Tyrone*, of English Education, a Gentleman of *Lincolns-Inn*, and a professed Protestant till some time before) having gathered together an innumerable Rable of the Natives who daily flocked in to him, fell upon their quarters; where though

The Rebels
perfidious-
ness & cru-
elty.

1641. *neymore in the Countie of London Derry, to come to him to Conmer in the Countie of Monogham; he came accordingly, but at his arival there he found Hugh Mac-Mahon gone to Dublin, whither he followed him, and arrived there the two and twentieth of October at six of the clock in the evening, and immediatly went to seek for Mac-Mahon, whom he found at his Lodging, and by whom he was conducted to seek out the Lord Macguire; whom they not finding, returned back again, where in some private discourse Hugh told him, that that night a great number of the Irish Noblemen Papists*

The design.

would arrive in Town, who with himself would seize the Castle by morning, then force the City with the Ordnance, and destroy all the Protestants; that others were appointed to seize on other places in all parts of the Kingdom, and to fall upon the English every where at the hour designed, which was ten of the clock the next morning; and that it was impossible by any posting or speed to prevent it: however Connally moved Mac-Mahon rather to discover it to the State to prevent the mischief; to which he answered: That they owed their Allegiance to the King, and would pay it to him: but what they did was against the Tyrannical Government over them; and to imitate Scotland who got their priviledges by the same course; swearing that they would not now part, but go together to the Castle, and that if the businesse were betrayed, some body should die for it: Neverthelesse Connally feigning some necessity of easment, leaving his Sword in pawn, came out of the Chamber, Mac-Mahons man following him into the Yard, yet in a trice elcaped over a Wall and two pales, and so came to the Lord Justice Parsons, to whom he declared the businesse, but so stammeringly, and himself so much distempered, that the Lord Justice seemed to give little credit to it, however with speed and lecrecy he ordered strong Guards in every corner; and having imparted it to Sir John Burlace, Sir Thomas Rotheram, and Sir Thomas Meridith Chancellor of the Exchequer, before whom Connally was about ten of the clock at night examined, when he gives a more sober and serious relation then he had done before of his being with Mac-Mahon, and of the several passages between them, much to the effect above-written; whereupon the Justices instantly send and seizes Mac-Mahon and his man, who being brought before them, without more ado confessed the whole Plot, that that very day all the Forts and Castles in Ireland would be surprized; that he with the Lord Macguire, Hugh Birne Captain Brian O'neale, and others were come to surprize Dublin Castle, twenty out of each Countie being to meet, were to joyn with them there. The Plot being thus detected, Macguire and others are immediatly seized on; the Counsel in the mean time removed into the Castle, in regard of the great confluence of strangers which they perceived to flock to the Town, Hugh Birny, Roger Moor, Plumket and Fox having sufficient items of the discovery, escaped over the River, though near thirty in all were taken. The design being thus happily prevented in Dublin, it was the great care of the Lords Justices to endeavour a prevention of it in other parts also; which they did by publishing a Proclamation,

Mac-Mahon taken.

Proclamation of the Discovery.

“Of the Discovery of a disloyal and detestable conspiracy intended by some evil affected Irish Papist, against the lives of the Lords Justices and Council, and others his Majesties faithfull Subjects throughout this Kingdom: They therefore required all good Subjects to betake themselves to their own Defence; and advertise them with all speed of the Occurrences which might concern the peace of the Kingdom; and that care be taken that no Leavies be made of men, or any man to march upon any pretence soever. But this proved to little purpose; for it was gone too far to be

of Great Britain and Ireland.

53

so easily stopped, the Lord *Blany* that night coming into *Dublin* with the news of the surprisal of his Castle, Wife, and Children, by the Rebels in *Monnaghan*.

CHAP. XXXIV.

The Lords Justices of Ireland prepare for Defence, Their Letters to the King and Parliament of England; The general Defection at Ulster: The Rebels Declaration.

THE continued news of the Warlike proceedings of the Rebels brought to *Dublin* by the flying and persecuted English, made the Council very earnest in preparing for their own defence; they found in *Dublin* stores, Arms for ten thousand men, with Artillery, Powder, Match, and Lead proportionable; but how to get men to these Arms they knew not, both the Officers and Souldiers of the late standing Army being dispersed into all parts of the Kingdom; and perhaps many of the common Souldiers (discontented as much at their disbanding lately, as at their not being permitted to go over into the service of the King of *Spain*) had many of them taken part with the Rebels, so that it was almost thought impossible to raise such a number as might be able to defend *Dublin*, much less make head against the Rebels in the North: But that which was the greatest inconvenient of all was the want of money, the Exchequer being empty and the Kings Revenues and the English Rents for the last half year were either in Tennants or Collectors hands, and so sure to fall into the Rebels possession. To supply these necessities Letters are dispatched to the King in *Scotland*, declaring the sad condition of the Kingdom; that they now only depended upon Gods assistance, the fidelity of the old English Pale, and help out of *England*; that their Army consisted but of two thousand Foot, and a thousand Horse, and those quartered in remote Garrisons, that they would very hardly be drawn together. These Letters were sent the one to Secretary *Vane* in *Scotland*, where the King then was, by Sir *Henry Spoffwood*; the other to the Lord Lieutenant in *England* by *Owen Ocanally*, the first discoverer of the Plot; to which Letter the Lords Justices had added a postscript, desiring that a reward might be given unto him, as a mark of the Kings bounty for his discovery, which soon after was done by the Parliament, who ordered him five hundred pounds ready money, and two hundred pounds per annum Pension till a greater Estate in Land could be seised upon him: But in the mean time the Rebels in *Ulster* under the Conduct of Sir *Phelim Oneale* assisted by *Turbock Oneale* his Brother, *Rory MacGuire*, Brother to the Lord *Macguire*, *Philip O Rely*, *Maluere O Rely*, *Sir Conno MacGennes Call*, *Mack Ruian*, and others, had possessed themselves of all the strong places in *Ulster*, *London Derry*, *Colreigne*, the Town and Castle of *Eniskellen* excepted: Those places which the English defended, and they could not either surprize by Treachery, or take by plain force, they had surrendered to them upon composition and Articles which they afterwards most perfidiously broke, butchering and massacring the poor English without pity or compassion to age or sex, though they still spared the Scottish Plantations in *Ulster*, because of their numbers; and likewise for fear of the Scottish Army so easily to be transported into the North parts of *Ireland*, till such time as their General *Sir Phelim Oneale*, (one of the race of the late bloody Earl *Tyrone*, of English Education, a Gentleman of *Lincolns-Inn*, and a professed Protestant till some time before) having gathered together an innumerable Rable of the Natives who daily flocked in to him, fell upon their quarters; where though

The Rebels perfidiousness & cruelty.

The Civill Warres

Y641. though he exercised not that cruelty upon their persons which he did upon the English, yet he deprived them both of their Goods and Livings, enforcing many of them to fly away naked to the Scottish shore; from thence he marches into the English Pale, and in the beginning of November take, *Dundalk*, and soon after encamps at *Ardee* within seven miles of *Tredagh*. This puts the Lords Justices at *Dublin* in a great fear, who immediately considered how to send succour to that place, which was presupposed the Rebels would besiege; the first succour that came to them, was the Lord Vicount *Moore*, who hearing of his sister *Blarney* ill fortune, had fled from *Mellifont*, with about sixty of his Troop, to save himself, where consulting with the Major, he begins to fortifie & plants some Guns found there, and others taken out of the ships in the Harbour at the Gates; which done, he posts to *Dublin*, compleats his Troop, raises an hundred Foot to be commanded by Captain *seafoule Gibson*, and returns to *Tredagh*. This was but a slender relief, and the enemies successes were dayly more and more cryed up, which made Sir *Faithful Forrescue* the Governour Post to *Dublin*, where finding little hopes of any further relief, acquitted his Government being unwilling to lose both himself and his honour in such impossible undertakings; notwithstanding which, some Forces sallied out to the Rebels, who had now made their approaches to the Town, put them to the run, took two hundred and eighty Prisoners, and brought in good store of Goods and Cows, which the Enemy had formerly Plundered: soon after their arrivance a considerable strength of a thousand Foot and one hundred Horse under the Command of Sir *Henry Tichburn* appointed Governour of the Town, to which was shortly after added three Companies more, so that they were now besides the Town Forces an hundred and sixty Horse, and fifteen hundred Foot compleat; which mightily discouraged the Catholics in the Town, who had many wayes endeavoured to betray it to the Rebels. In the meantime was published the Catholiques Declaration, which was dropped in the streets and stuck up in some corners of the streets in *Dublin* to this effect. Whereas the Roman Catholicks of the Kingdom of *Ireland* have been continually loving and faithful Subjects to his Sacred Majesty; and notwithstanding heavy oppressions suffered by the Subordinate Governments, to the ruine of our Lives, Honours, and Estates; yet having some liberty of our Religion from his Majesty out of the affluence of his Princely Love to us: we weighing not corporal losse in respect of the great immunity of the soul, are instantly resolved to infix our selves in an immutable and pure Allegiance to his Royal Majesty and Successours. Now it is, that the Parliament of *England* maligning and envying any graces received from his Majesty by our Nation, and knowing none so much desired of us as that of Religion; and likewise perceiving his Majesty to be inclined to give us liberty of the same, drew his Majesties Prerogative out of his hands, thereby largely pretending the good of his Majesties Kingdoms. But wee the said Catholicks and Loyal Subjects to his Majesty, do probably find, as well by some Acts to passe by them the said Parliament touching our Religion, in which the Catholicks of *England* and *Scotland* did suffer, as also by the threatening to send over the Scottish Army with the Sword and Bible against us: That their whole and studied plots both was and is, not only to extinguish Religion by which we only live happily, but also likewise to supplant us, and raze the Names of Catholicks and Irish out of the whole Kingdom: And seeing this surmise so dangerous, tending absolutely to the overthrow of the liberty of our

conscience

"Consciences and Countrey; and also our gracious Kings power forced from him; in which and in whole prudent care of us our sole quier and comfort consisted; and without which, the fear of our present ruines, did prescribe opinion and premonish us to save our selves. We therefore as well to regain his Majesties laid Prerogative, being only due to him and his Successors, and being the essence and life of Monarchy, hoping thereby to continue a strong and invincible unity between his Royal and happy Love to us, and our faithfull Duty and Loyalty to his Incomparable Majesty, have taken Arms and possessed our selves of the best and strongest Forts of this Kingdom, to enable us to serve his Majesty, and to defend us from the tyrannous resolution of our Enemies. This in our Consciences, as we wish the peace of the same to our selves and our Posterity, is the pretence and true cause of our raising Arms, by which we are resolved to perfect the advancement of Truth, and safety of our King and Countrey. Thus much we thought fit to publish to the world, to set forth our innocent and just Cause, the Particulars whereof shall be speedily declared.

God save the King.

Thus did the Irish second the example first given them by the Scots, under the highest expressions of Loyalty and Allegiance, to cloak most notorious and perfidious Rebellion; which device was afterwards followed by others.

CHAP. XXXV.

The Parliaments Proceedings about the Irish Rebellion: The Rebels Proceedings there.

THE Letters sent by the Lords Justices to the Earl of Leicester Lord Lieutenant Elect, with others to the Parliament of England, and to the Council, arrived at London upon the last of October at night; and being the next morning read in the House of Lords, were immediately sent down to the House of Commons by the Lords, Keeper, Privy Seal, High Chamberlain, Admiral, Chamberlain of the Household; Earls of Bath, Dorset, Leicester, Holland, Berks, and Bristol; the Lords, Mandevill, Say, and Goring; which being read, the House resolved into a Committee, and ordered that fifty thousand pound should be immediately provided; that the Lords should be moved, that the Members of both Houses should joyn, to declare to the City of London their present necessities, and entreat the Loan upon public security; that a select Committee be appointed for the Affairs of Ireland; that the aforementioned summes of five hundred pound, and two hundred pound per annum be given to Owen Oconnally for his discovery; that all Papists of quality in England be secured, and no persons whatsoever be permitted to go into Ireland without passe fit obtained from the Committee appointed for Irish Affairs; all which was readily assented to by both Houses, and within some dayes after many other Particulars of very great import were resolved on to the relief of that Countrey, to its greater supplies of Money, Magazines of Victuals, and Ammunition, courses taken for the raising of Forces for their recruits, and shipping ordered for the guarding of their Coasts, and many other particulars: But Ireland relieved when the second dispatchs of the fifth of November came from the Lords Justices, pre-solved on. for speedy supplies, the Parliament Voted other two hundred thousand pounds to be borrowed

1641.

borrowed of the City of London for the more speedy effecting of it. And the better to encourage the Citizens to this Loan, they make an order to secure them for their Moneys formerly lent, and to allow them the full Interest of eight per cent. In the mean time the Lords Justices bestir themselves to the utmost of their power in Ireland, where the Rebellion had almost spread itself over the whole Kingdom; for many Lords who before lived unexpected in Dublin, now left the City, and ran into the Countrey to the Rebels; and some who had been by the Lords Justices (hoping that their confidence in them might have won them from joyning with the Rebels) trusted with Arms, and Commissionated to raise men for the suppression of the Rebels, ran away, and armed the Enemy to cut the English throats; such were the Lord *Gormanston*, and other Lords of the Pale; whilest in the mean time great care was taken to victual the City of Dublin by the Lords Justices. And in regard that by the great confluence of the poor distressed English who fled thither for succour, the City was so filled, that impossible it was that relief could be given to all; by means whereof so many perished either through their wounds given them by the Irish Rebels, or for want of that relief which could not be given them; that neither the publick burying places could contain the corps, nor were the living able to bury the dead: and in short time the City was likely to be infected; to prevent which, the Lords Justices were forced to forbid the access of any more strangers to the Town, which was now pretty well victualled, and fortified in case of any imminent danger, some Troops of Horse, and Regiments of Foot being commissionated to be raised for its defence, to wit, Sir *Charles Coote*, and the Lord *Lambert*, who made up their Regiments out of the fled English; several Troops likewise were come from the In-land Garisons to Dublin, viz. the Earl of *Ormonds*, Sir *Thomas Lucas* his, Captain *Armstrongs*, and Captain *Tarners*; so that the City had

Dublin

victualled.

Strangers

forbid access

to Dublin

The Parlia-

ments of Ire.

land

Protestati-

on against

the Rebels.

The Rebel.

Insolence.

the Rebellion been Adjourned to the leventeenth of November, was now upon consideration prorogued to the twentieth of February, which highly displeased the Irish Papist Members, who grumbled that so much time should be lost and no Grievances redressed: whereupon they had liberty to sit for one day, provided that they would make a full and clear protestation against the Rebels. So on the seventeenth of November a thin Parliament met, and very loath were the Papist Members to stile it a Rebellion; but at last were induced to make this protestation, "Whereas the happy and peaceable estate of this Realm hath been of late, and still is interrupted by sundry persons ill affected to the Peace, &c. Who have trayterously and rebelliously raised Arms, &c. The Lords and Commons in Parliament do detest and abhor their abominable actions, and shall and will maintain the Rights of his Majesties Crown and Government, Peace and Safety thereof, against all opposers; and if they shall not within a time limited, lay down Arms, submit and be suitors for grace and favour; then the Lords and Commons will take up Arms, and will with their Lives and Fortunes suppress them. And in pursuance of this protestation this Parliament first tried by fair means to reduce them to obedience; to which end they sent Commissioners to Treat with them; but they grown insolent with their late successes, slighted the Commissioners, tore their Letters, and returned a scornfull answer. The whole care of this War was by the King committed to the Parliament of England, who to answer their trust, make show of a great deal of zeal for the speedy subduing of the Rebels, which they expresse

of Great Britain and Ireland.

57

1641.

by an Order of theirs the twelfth of *November*, thus. "The Lords and Commons
 "in this present Parliament, being advertised of the dangerous conspiracy and Rebellion
 "on in *Ireland*, &c. do intend to serve his Majesty with their Lives and Fortunes,
 "for the suppressing of this wicked Rebellion, as shall be thought most effectual by the
 "Wisdom and Authority of Parliament; and have provided for a present supply of
 "Money for the raising of six thousand Foot, and two thousand Horse to be sent from
 "England, being the full proportion desired by the Lords Justices in that Kingdom;
 "with a resolution to adde such further succours as the necessity of those affairs shall re-
 "quire. As also for Arms, Ammunition and Victuals, and other necessaries; and
 "have appointed three Ports, *Bristol*, *Wexcheſter*, and one other in *Cumberland*, for Ma-
 "gazines and Store-houſes: they resolve likewise to become ſuiters to his Majesty, for
 "encouragement of such as shall upon their own charges, raise Horse or Foot for this
 "service, that they shall be honourably rewarded with Lands of Inheritance in *Ireland*:
 "And for the better inducing the Rebels to repent, they do hereby commend it to the
 "Lords Justices, according to the power of Commission granted them, to bestow his
 "Majesties Pardon on such as shall in a convenient time return to obedience: the great-
 "est part whereof they conceive have been seduced upon false grounds. And likewise
 "to bestow rewards as shall be thought fit upon such as shall bring the heads of the prin-
 "cipal Traitors, &c. And for the better effecting of the business, the Earl of *Ormond*
 "is by the Earl of *Leicester* commissioned Lieutenant General of the Forces there; who
 "shortly after received a confirmation of that command from the King himself; together
 "with a Sum of twenty thousand pound in Pieces of Eight, which Money passed for four-
 "pence a piece more there than it did in *England*. The Lords Justices in the mean time take
 "care for the relieving of *Tredagh*; which they every day expected would be besieged by
 "the Rebels: the fortified the *Millifont* with four Guns, the best place of Guard about
 "the whole Town; whilst the Irish who lay about it endeavour by private Commisſion-
 "ers to corrupt the Lord *Moore*, whom they proffer to make General of all *Meath* and
 "*Louth*, but he was too wise and honest to be tainted; which they finding, and enraged at
 "it and his offers, to raise six hundred men, provided those four odd companies might be
 "added to them to make him a full Regiment, (which yet was not effected) taking op-
 "portunity of his being at *Dublin*, plunder his Estate, and took his House at *Mellifont* by
 "Storm, putting all they found in into the Sword; though with the losse of an hundred
 "and forty of their own men, when the whole number in the House were but twenty four
 "Muskets and fifteen Horse, besides some few servants, whereof none but the Horse-
 "men escaped; who making a desperate Sally got safe to *Tredagh*; yet they afterwards
 "earnestly solicited the Lord *Moor*, promising full restoration of all his losses, if he would
 "yet come to their Party, which he would not hearken to. But a greater exploit than
 "the taking of *Mellifont*, was the Victory which the Irish sometime after obtained over
 "a Party of six hundred Foot and fifty Horse near *Gillingstone* Bridge. These on the
 "two and twentieth of *November* being sent from *Dublin* to *Tredagh*, lay the first night at
 "*Swords*, six miles from *Dublin*, and had advice to hasten on towards *Tredagh* the next
 "morning, and accordingly the Governour had issued out with a considerable Party of
 "Horse and Foot to meet them: but these Souldiers in a mutiny refused to march any
 "further than *Balradbug* six Miles more; and the next day a little before they came to
 "*Gillingstone* Bridge, were in a great Scuffle Field met with by about two thousand of
 "the

*The English
 routed at
 Gillingstone
 Bridge.*

1641.

Dublin
victualled.Strangers
forbid access
to DublinThe Parlia-
ment of Ire-
landProtestati-
on against
the Rebels.The Rebels
Insolence.

borrowed of the City of London for the more speedy effecting of it. And the better to encourage the Citizens to this Loan, they make an order to secure them for their Moneys formerly lent, and to allow them the full Interest of eight per cent. In the mean time the Lords Justices bestir themselves to the utmost of their power in Ireland, where the Rebellion had almost spread itself over the whole Kingdom; for many Lords who before lived unexpected in Dublin, now left the City, and ran into the Countrey to the Rebels; and some who had been by the Lords Justices (hoping that their confidence in them might have won them from joyning with the Rebels): rusted with Arms, and Commissionated to raise men for the suppression of the Rebels, ran away, and armed the Enemy to cut the English throats; such were the Lord *Gormanston*, and other Lords of the Pale; whilest in the mean time great care was taken to victual the City of Dublin by the Lords Justices. And in regard that by the great confluence of the poor distressed English who fled thither for succour, the City was so filled, that impossible it was that relief could be given to all; by means whereof so many perished either through their wounds given them by the Irish Rebels, or for want of that relief which could not be given them; that neither the publick burying places could contain the corps, nor were the living able to bury the dead: and in short time the City was likely to be infected; to prevent which, the Lords Justices were forced to forbid the access of any more strangers to the Town, which was now pretty well victualled, and fortified in case of any imminent danger, some Troops of Horse, and Regiments of Foot being commissionated to be raised for its defence, to wit, Sir *Charles Coote*, and the Lord *Lamberts*, who made up their Regiments out of the fled English; several Troops likewise were come from the In-land Garisons to Dublin, viz. the Earl of *Ormonds*, Sir *Thomas Lucas* his, Captain *Armstrongs*, and Captain *Turners*; so that the City had a pretty considerable force within it; whilest the Parliament of Ireland who had before the Rebellion been Adjourned to the seventeenth of November, was now upon consideration prorogued to the twentieth of February, which highly displeased the Irish Papist Members, who grumbled that so much time should be lost and no Grievances redressed: whereupon they had liberty to sit for one day, provided that they would make a full and clear protestation against the Rebels. So on the seventeenth of November a thin Parliament met, and very loath were the Papist Members to stile it a Rebellion; but at last were induced to make this protestation, "Whereas the happy and peaceable estate of this Realm hath been of late, and still is interrupted by sundry persons ill affected to the Peace, &c. Who have trayterously and rebelliously raised Arms, &c. "The Lords and Commons in Parliament do detest and abhor their abominable actions, and shall and will maintain the Rights of his Majesties Crown and Government, "Peace and Safety thereof, against all opposers; and if they shall not within a time limited, lay down Arms, submit and be suitors for grace and favour; then the Lords and Commons will take up Arms, and will with their Lives and Fortunes suppress them. And in pursuance of this protestation this Parliament first tried by fair means to reduce them to obedience; to which end they sent Commissioners to Treat with them; but they grown insolent with their late successes, slighted the Commissioners, tore their Letters, and returned a scornfull answer. The whole care of this War was by the King committed to the Parliament of England, who to answer their trust, make show of a great deal of zeal for the speedy subduing of the Rebels, which they expresse

of Great Britain and Ireland.

57

1641.

by an Order of theirs the twelfth of November, thus. "The Lords and Commons in this present Parliament, being adverted of the dangerous conspiracy and Rebellion on in Ireland, &c. do intend to serve his Majesty with their Lives and Fortunes, for the suppressing of this wicked Rebellion, as shall be thought most effectual by the Wisdom and Authority of Parliament; and have provided for a present supply of Money for the raising of six thousand Foot, and two thousand Horse to be lent from England, being the full proportion desired by the Lords Justices in that Kingdom; with a resolution to adde such further succours as the necessitie of those affairs shall require. As also for Arms, Ammunition and Victuals, and other necessaries; and have appointed three Ports, *Bristol, Westchester*, and one other in *Cumberland*, for Magazines and Store-houles: they resolve likewise to become suiters to his Majesty, for encouragement of such as shall upon their own charges, raise Horse or Foot for this service, that they shall be honourably rewarded with Lands of Inheritance in Ireland: And for the better inducing the Rebels to repent, they do hereby commend it to the Lords Justices, according to the power of Commission granted them, to bestow his Majesties Pardon on such as shall in a convenient time return to obedience: the greatest part whereof they conceive have been seduced upon false grounds. And likewise to bestow rewards as shall be thought fit upon such as shall bring the heads of the principal Traitors, &c. And for the better effecting of the businesse, the Earl of *Ormond* is by the Earl of *Leicester* commissioned Lieutenant General of the Forces there; who shortly after received a confirmation of that command from the King himself; together with a Sum of twenty thousand pound in Pieces of Eight, which Money passed for fourpence a piece more there than it did in *England*. The Lords Justices in the mean time take care for the relieving of *Tredagh*; which they every day expected would be besieged by the Rebels: the fortified the *Millisfont* with four Guns, the best place of Guard about the whole Town; whilst the Irish who lay about it endeavour by private Commissioners to corrupt the Lord *Moore*, whom they proffer to make General of all *Meath* and *Louth*, but he wastoo wile and honest to be tainted; which they finding, and enraged at it and his offers, to raise six hundred men, provided those four odd companies might be added to them to make him a full Regiment, (which yet was not effected) taking opportunity of his being at *Dublin*, plunder his Estate, and took his Houle at *Mellisfont* by Storm, putting all they found in into the sword; though with the losse of an hundred and forty of their own men, when the whole number in the Houle were but twenty four. Mulquets and fifteen Horse, besides some few servants, whereof none but the Horsemen escaped; who making a desperate Sally got safe to *Tredagh*; yet they afterwards earnestly solicited the Lord *Moore*, promising full restoration of all his losses, if he would yet come to their Party, which he would not hearken to. But a greater exploit then the taking of *Mellisfont*, was the Victory which the Irish sometime after obtained over a Party of six hundred Foot and fifty Horse near *Gillingstone* Bridge. These on the two and twentieth of November being sent from *Dublin* to *Tredagh*, lay the first night at *swords*, six miles from *Dublin*, and had advice to hasten on towards *Tredagh* the next morning, and accordingly the Governour had issued out with a considerable Party of Horse and Foot to meet them: but these Souldiers in a mutiny refused to march any further then *Balrading* six Miles more; and the next day a little before they came to *Gillingstone* Bridge, were in a great Stubble Field met with by about two thousand of

The English routed at Gillingstone Bridge.

The Civill Warres

the Enemy. The Fog was so great that they discerned them not till they were within Musquet-shot; whereupon the Commander of the English drew up his men, and the Rebels making a stand, drew up likewise. The English seemed very resolute to fight; but the Commander unwarily commands a Counter-march (whereby they were driven upon a Ditch) which the Enemy interpreting to a flight, giving a great shout, fell furiously on, and put them into such a confusion, that they immediately threw down their Arms and ran; most of the Foot were cut off, among which were two of the three Captains, the other Captain and one Ensigne escaped, the fifty Horse made their way clear to *Dublin*, the Governour of *Tredagh* upon advice of the Scouts issued out with six hundred Foot, and two Troops of Horse, but came too late. These Irish Forces were such as had been raised by the Lord *Netterville*, *Gormanstone*, and others of the *Pale*, who had been intrusted with Arms by the Lords Justices; but now having made an agreement with the Northern Rebels, and drawn them within the *Pale*, they had so leated their Camp within the River *Boyne*, that all intercourse was interrupted between *Dublin* and the *Pale*; whereupon the Lords Justices thought fit to call a grand Council of the Lords in that Distance of *Dublin*, telling them by their Letters, that the State had present occasion to confer with them concerning the present estate of the Kingdom; and therefore desired that they would be at *Dublin* the eighth day of *December*, when the other Peers would likewise be there. This Summons was sent to all the Lords of the *Pale*, as well as to *Fingale*, *Gormanstone*, *Slane*, *Dunsany*, *Netterville*, *Oliver*, *Louth*, and *Frimblestone*, who had raised Forces, and associated themselves with the Rebels. These to this Summons return answer to the Lord of *Ormond*, "That they had heretofore presented themselves and freely offered their Advice and Service, which was neglected; that having received advertisement that Sir *Charles Coot* had uttered at the Council-board some speeches, tending to execute upon those of their Religion a general Massacre, by which they were deterred to wait upon their Lordships, not having security for the safety of their Lives, but rather to stand upon their Guards, till they should be secured from perils; nevertheless they all protested to continue faithfull advisers and furtherers of his Majesties service concerning the present state of this Kingdom, and the safety thereof. To this Letter the Lords Justices give answer by Proclamation, endeavouring to give satisfaction to the Lords, and to justifie Sir *Charles Coot* from any such pretended Speeches, or any intention thereto, which desires, that they would attend the Council-Board on the seventeenth of that month: but instead of returning answer, *Netterville* and others of the *Pale* gather Forces, and encamp at *Swords* within six miles of *Dublin*; which the States hearing, immediately send their Warrants, commanding them to disband, which they positively refuse, (whereupon the Earle of *Ormond*, Lieutenant General of the Kings Forces, had order to suppress them by force) but they joyn with the Northern Rebels in besieging *Tredagh*, from before which (after various successes on both sides, but most dammage to the Rebels) tired out with ill success, they raise their Siege. But now let us return to England.

The Lords
of the Pale
summoned
to Dublin.

of Great Britain and Ireland,

CHAP XXXVI.

The King magnificently Feasted by the City of London at his Return from Scotland; The Parliaments Petition and Remonstrance.

59
1641.

THe King during his being in *Scotland* had been so complacent to that Nation, that nothing whatsoever was desired or propounded in that Parliament, which he readily assented not too: in requital of which, and in part of gratitude, they caused an Act (though then in force) to be published and revived, "That it should be detestable and damnable Treason in the highest degree that could be, for any of the Scots Nation conjunctly or singly to leavy Arms, or any Military Forces upon any pretence whatsoever, without the Kings Commission: Which solemn Act how ill they observed and kept, will hereafter appear. At his Majesties return from thence, he was magnificently Feasted by the City of *London*, who received him with a great deal of seeming joy; and in requital of their affection, the chief Citizens were by him nobly entertained, at a sumptuous Banquet at *Hampton Court*, where several of the Aldermen had the honour of Knighthood conferred upon them. But the Parliament had provided other businesses for him; for during the time of his being in *Scotland*, (near four Moneths) a Remonstrance was (with a great deal of pains taken by the stirring Members of the House of Commons) drawn up, and passed in the House, (though with some reluctancy, not above nine Votes carrying it) wherein they ripped up all the old foresh and inconveniences of Government, since the first beginning of King *Charles* his Reign; with all which they charge a Malignant party about him, against whom they urge these particulars. 1. The Dissolution of the Parliament at *Oxford*, two Subsidies being granted, and no Grievances relieved. 2. The losse of *Rochel* Fleet, by our shipping delivered over to the French, to the losse of that Town, and the Protestant Religion in *France*. 3. The diverting of his Majesties course of Wars from the *West Indies*, (the only facile way to prevail against the Spaniard) to an expencefull successeless attempt upon *Gales*. 4. The precipitate breach with *France*, taking their Goods and Shipping without recompence to the English, whole Goods were confiscate in that Kingdome. 5. The peace with *Spain* without consent of Parliament; the deserting the *Pallgraves* cause mannaged by his Enemies. 6. The charging of this Kingdome with billited Souldiers, with the design of Germane Horle to enlave the Nation to Arbitrary Contributions. 7. The dissolving of the Parliament 2. *Caroli*, and the exacting of the proportion of five Subsidies after the Parliament was dissolved by Commission of Loan, and such as refused imprisoned, some to death; great summes of Money required by Privy Seals, Excise, &c. The Petition of Right blasted. 8. The Parliament dissolved 4. *Caroli*, imprisoning some Members, fining them and others; Sir *Francis Barringtons* death in prison, whole blood still cried out for vengeance, of those Ministers of State. 9. The publishing false and scandalous Declarations against the Parliament, and afterwards the injustice, violence, and oppression that broke in. The enlargements of Forests contrary to *Charito de Foresta*, Coat and Conduct Money, &c. From thence they run to defcant upon particular pretended designs, corrupt Councils, oppression of the Subject by the Clerks of the Market. Commissions of Sewers, Braile Farthings, Projects, Monopolies, &c. The misactions of the Courts of Judicature, Council Table, &c. But principally and above all, against Bishops and their proceedings

The Civill Warres

1641.

proceedings by all their subordinate Officers, their Writings, Preachings, opinions in conjunctions with Papists and Protestants in Doctrine, Discipline and Ceremony; their endeavouring to reduce *Scotland* thereunto; that an Army was raised against them by the Contribution of the Clergy and Papists; that the Scots were forced to raise an Army in their own defence, justifying their insurrections and rebellions under a necessity of self-preservation; and so conclude with a Narration how far they had gone in the work of Reformation; and all those Acts of grace which the King had granted them, they make only the effects of their own wisdom. In summe, what ever the King had done amiss, they spare not to publish; what ever favours he had granted them by several Bills they ascribe to themselves, yet promise to the King and whole Kingdom more honour and happinesse then ever was enjoyed by any of his Predecessours. This Petition and Remonstrance is instantly published in print by the Parliament, contrary to the Kings desire, who yet returned them a speedy answer to it, signifying, That the Preamble of their Petition, concerning a wicked and Malignant party admitted to his Council and Employments of Trust, he understood not; yet would bee as ready to punish all, or any which he knew to be such, as they were to complain. To the first part of their Petition concerning Religion, he answered, that he would concur with all the just desires of his people in a Parliamentary way, but as to the depriving of the Bishops of their Right to Vote in Parliament, it was grounded upon the fundamentall Laws of the Kingdom, and Constitutions of Parliament; but for the abridging of the inordinate power of the Clergy, he thought that the taking away of the High Commission Court had sufficiently moderated it; yet if they continued Usurpations in their jurisdictions, he neither had nor would protect them: And for the removing Corruptions in Religion, Church Government, and Discipline, he was willing all Innovations should be removed, (if any there were) by a National Synod, but he understood not the meaning of (Corruptions) for he believed no Church in the whole world to be more pure both in Profession and Doctrine then that of *England*, which he would so maintain both against all Popish invasions, and also against the Irreverence of these Separatists and Schismatics, with which this Kingdom hath of late so much abounded. To the third prayer of their Petition, for the removal of evil Councillors, he answers, That there is none of these so near him either in place or affection, whom he will not leave to their particular charge, and sufficient proof by Law; but to grant to them the choice of his Privy Council, were to debar himself of that natural Liberty which all Free men have being besides the undoubted right of his Crown, to call to his Council whom he pleaseth; yet he would be careful to elect persons of ability and integrity, and so concurring with them in the not alienating the fortified Lands in *Ireland*, though he doubted it unreasonable to conclude on before the Warre were finished, thanking them for their cheartful engagement, for suppression of that Rebellion: he ads, that he doubts not of their Loyalties in performing of their promises for support of his Royal Estate, &c. And because the Parliament had by publishing their Remonstrance in Print, laid open to the people all the misfortunes of this Kingdom from the time of his first entrance to the Crown, to the beginning of this Parliament. The King Publishes a Declaration to justify his own Honour and Government, in the end of it, conjuring all his good Subjects of what degree so ever, by the Bonds of Love, Duty and Obedience, to remove all doubts and fears, and then (if this Nation had not prepared an inevitable Judgement for us all) God would yet make him

of Great Britain and Ireland.

61

1641.

him a glorious King over a free and happy people. But this produced very little good effects; for soon after followed a Tumult of the Londoners, a rabble of the Prentices, & other loose persons coming down to *Whitehal* and *Westminster*, uttering many insolent and contemptuous words against the King and Bishops, (to which they were constantly encouraged by their Lecturers and Preachers in their Pulpits) the cause why the King sent to the Lord Major of *London* to call a common Council to receive his pleasure, which was carried by the Chancellour of the Duchy, who signified to them in the Kings Name, the Riotous Assembly of People about his Palaces of *Whitehal* and *Westminster* commanding their care to prevent the like, especially on the ensuing Holy dayes: whereupon double watch and Guard was appointed, which for the present kept the rabble in some order. Soon after on, the twenty eighth of *December*, the King acquaints the House of Lords by the Lord Chamberlain, that being sensible of the miseries of *Ireland*, and yet the succours so slow, he would as he had offered raise ten thousand Volunteers if the Commons will undertake to pay them. In the mean time, to expresse his detestation of that horrid Rebellion, by his Proclamation of the first of *January*, he denounces them Rebels and Traytors, with all such as did adhere to them or abett them. The not having done which before this time, was afterwards very often by the Parliament cast in the Kings teeth, and made use of to draw away the Peoples affections from him.

CHAP. XXXVII.

Kimbolton and the five Members Questioned. Bishops accused of High Treason. The King goes to Hampton Court. Petitions for the Militia. The Queen and Princeesse Mary go to Holland.

THE King now finding how High the Parliament flew, and that his granting of one thing still emboldned them to ask another, till they would wholly have eaten out his Royal Prerogative; and being sensible that most of these things were done by the means of the Lord *Mandevil*, Son to the Earl of *Manchester* in the House of Lords, and *Pym*, *Hampden*, *Hollis*, *Haslerig*, and *Strode*, the most actively seditious men in the House of Commons, against whom he had received intelligence of high misdemeanours that they had designed a correspondence with the Scots, and countenanced the late Tumults from the City, &c. The better to draw up his Charge in Articles against them on the third of *January*, he by warrant commands Sir *William Killigrew*, and Sir *William Flemming* to repair unto the Lodgings of the several persons aforementioned, and to seal up their Trunks, Studies, and Chambers; and likewise by his Attorney General Sir *Edward Herbert*, demands the deliverance of those five Members, whom together with the Lord *Mandevil*, he sent a Serjeant at Arms to apprehend, but they were gone out of the way, and the Parliament, having notice of the Kings intentions by Duke *Hamilton* (who used to acquaint the Houses with the Kings most Secret Councils) immediately Vote, That if any person whatsoever should come to the Lodgings of any Member of that House, and then offer to seal the Trunks, Doors, or Papers of any of them, or seize upon their persons; such Members shall require the aid of the Constable to keep such persons so seizing in safe custody, till the House did give further Order. And that if any person whatsoever should offer to Arrest or Detain the Person of any Member of that

The Civill Warres

1641.

that House, without first acquainting the House therewith, and receiving further order from thence, that it should be lawful for such a Member, or any person in his assistance to stand upon his or their Guard of Defence, and to make resistance according to the Protestation taken to defend the privileges of Parliament. The King being informed of this Vote against the Seizure or Arrest of any of these five Members by any of his Officers, resolves himself to surprise them next day sitting in the House; in pursuance of which, on Tuesday the fourth of *January*, taking the *Palgrave* with him, and attended by his usual Guard of Pensioners, and some few of his Courtiers, he went in Person to the House of Commons, and so knocks at the Door; which being opened, he (commanding his Guard to tarry without) enters to the amazement of the whole House, who seemed startled at his sudden Presence; yet the Speaker rising, the King (first looking about him) demanded whether these five members were there or not; to which he readily returned answer. "That he had neither eyes to see, nor tongue to answer any thing "but what he was commanded by the House. Whereupon the King sitting down, tells them, "That he was very sorry for that occasion of coming to them, that he had the "day before sent his Serjeant at Arms to apprehend some persons, who upon his command, were accused of High Treason, to which he did expect Obedience, not a Message. That albeit no King of *England*, that ever was, could be more careful of their Privileges to maintain them to the uttermost of his power then he should be; yet they "must know that in cases of Treason no Person hath a privilege; and therefore he came "to know if any of those persons which he had accused for no slighter crime then Treason were there, for he would have them wheresoever he found them; [*so casting his eye again about the House he continued*] that since he saw that all the Birds were flown, he "did expect that they should send them to him, as soon as they returned thither; assuring "them in the word of a King, that he did never intend any force, but should prosecute "against them in a legal way; for he never meant any other; yet if they were not sent "to him, he should take his own course to find them out. And thus he left them, but was no sooner gone out then the whole house was in an uproar, crying out Privilege, Privilege, so loud, that the King heard them exclaiming, that this action was never to be paralleled in any former Kings Reign, and tending to the breach of all freedom of Parliament, &c. And that not only in the accusation of their Members, ransacking and searching their Studies & Papers, and intentionally their persons, but now in a hostile manner to invade and threaten the whole body of the Parliament, was a thing never before heard of; they therefore in very peremptory terms, Vote it a high breach of the privileges of Parliament, and inconsistent to the liberty and freedom thereof. And therefore conceiving that they could not with safety to their own persons, or indemnity to the Rights and Privileges of Parliament, sit there any longer, without a full vindication of so high a breach, and a sufficient Guard wherein they might confide, for which both Houses jointly, and that House by it self, had been humble Suitors to his Majesty but could not obtain it; they Order that the House should be Adjourned till Tuesday the eleventh of *January* at one of the Clock in afternoon, and that in the mean time a Committee of all the House that come, to have Voices, and sit at *Guildhall* to consider of the important Affairs of the Kingdom; and that the Committees for the Irish Affairs should sit there likewise. Nor would this serve their turns, but they likewise publish a Declaration, in answer to one published by the King on the sixth of *January*; accusing the

the aforesaid five Members of treason, wherein they call his Majesties Proclamation a printed paper and declare it false, scandalous, and illegal; and that notwithstanding the said printed paper, or any Warrant issued out, or any other matter yet appearing against them, or any of them, they may and ought to attend the service of the House of Commons. And declaring, That the publishing of several Articles of High Treason against those five Members, was a high breach of the Privileges of Parliament: a Scandal to his Majesty, and Dishonour to the said Members; which could not sufficiently be vindicated, unless his Majesty did discover the Names of such Persons who advised him thereto: whom they declare Enemies to the State, &c. The Articles then exhibited against *Kimbolton*, and those five members were: 1. That they had traiterously endeavoured to subvert the Fundamental Laws and Government of the Kingdom; to deprive the King of his Regal Power, and to place on Subjects an Arbitrary and Tyrannical Power. 2. That they had endeavoured by many foul Aspersions upon his Majesty & his Government, to alienate the Affections of his People, and make his Majesty odious to them. 3. That they had endeavoured to draw his late Army from his obedience to side with them in traiterous designs. 4. That they traiterously invited and encouraged a Foreign power to invade his Majesties Kingdom of England. 5. That they had traiterously endeavoured to subvert the very Rights and Being of Parliaments. 6. That they had endeavoured as far as in them lay, by force and Terror to compell the Parliament to joyn with them in their traiterous designs; and to that end had actually raised and countenanced Tumults against the King and Parliament. 7. That they had traiterously conspired to levy, and actually had levied War against the King. All which Articles the King engaged himself to make good, but could not be permitted, though they were far fouler then those for which the Earl of *Strafford* lost his Head; but some may better steal a Horse then others look over the Hedge. During these Passages, the Londoners Tumults continually infested *Whitchal* and *Westminster*, and offered such violences upon the persons of such Bishops who according to their Duties and Right went to Vote in the House of Peers, that twelve of them, viz. *John Eborac, Thomas Duresm, Robert Coven, & Leitchfield, Jos. Norwich, John Asaph, Guil. Ba. & Wells, Geo. Hereford, Rob. Oxon, Math. Ely, Godfr. Gloucest. Jo. Peterborough, Mor. Landaffe.* no longer able to comport those insolencies, drew up a Petition, remonstrating those abuses in their not being permitted to go quietly to the Exercise of their duties in the House of Lords; and therefore they humbly protested before the King and Peers in Parliament, against all Laws Orders, Votes, Resolutions, and Determinations, as in themselves null, and of none effect, which in their absence since the seven and twentieth of December have already passed, as likewise such as should hereafter passe in that most Honourable House, during the time of their foresaid absence, &c. This their petition and protestation they beseech the King to command the Clerk of the House of Peers to enter in the Records of the House. But the Lord Keeper having received it from the hands of the King, communicated it to several Members of Both Houses, such as he supposed would make the most disadvantageous use for the Bishops of it, and the more to ingratiate himself with the prevalent Party, he aggravated the protestation of the Bishops as high a crime as he could. And a crime it was made, for soon after the Lords and Commons having had a conference about it, the Commons Vote, that the petition and protestation of the twelve Bishops, was extending to the Deep Entringhing upon the Fundamentall priviledge

The Civill Warres

ledges and Being of Parliaments; and immediately send up Master *Glyn* to the Lords to Impeach them of Treason, and desire that they might bee sequestred from sitting in the House, and secured; Which the Lords assented to, and sent the Black Rod to secure them, and ten of them were sent to the Tower, the other two in regard of their Age, remained under the Custody of the Black Rod; Yet the Commons made no further progresse in their Impeachment of High Treason, then the depriving them of their Right to sit and Vote in Parliament; a Bill for the taking away of which, the King passed soon after at his being at *Canterbury*; for the Tumultuous petitions which daily came flocking in both from the Parliament (for a Guard to defend themselves from a Malignant party which threatened their destruction) and likewise from the City, pretending Fears & Jealousies about the Kings going forcibly to demand the five Members; his having entertained a Guard of the Innes of Court Gentle-men, and the great Number of Cavaliers, (for so were the Officers of his Majesties late Disbanded Army now called, who attended at Court, either to receive their Attours, or to expect his Majesties Commands before they returned to the Netherlands) that daily flocked about *Whitehall*, and had wounded severall peaceable unarmed Citizens as they passed by; when in truth they had not only (not able to comport the insolencies of the Rabble at the Kings Palace Gate, who cried out, some, *That the King was not fit to live*; others, *That the Prince would govern better*; and all, *That they would have no Porters Lodge between them and the King, but would come at him when they pleased*) sallied out among that rascal Rabble, and in the scuffle hurt some, the due reward of their insolencies. And besides these, the Petition of the *Buckinghamshire* men in behalf of Master *Hambden* the Knight of their Shire, & the rest of the five Members, accompanied with tumultuous violences, (though he gave gracious answers to all) enforced the King to retire himself for his safety, with the Queen, Prince, and Duke of *Tork*, first to *Hampton Court*, and then to *Windfor* Castle, and thence to *Royston*; whilst the more to affront him, the five Members are in triumph conducted to the Houle of Commons, accompanied by innumerable companies of Citizens in Boats, with Flags and Streamers, &c. And the Parliament take leasure to examine Sir *Edward Herbert* Attorney General about the Charge by him presented against them; whom though they find guilty of nothing more then that best quality of a dutifull servant obedience to his Masters commands; yet they Vote that he hath broke the priviledge of Parliaments, and commit him to prison. And to continue those fears and jealousies which they had raised in the people, an Order is published, requiring the Sheriffs of the severall Counties of *England* and *Wales*; with the assistance of the Justices of the Peace and Trained Bands, to suppress all unlawfull assemblies, and take care to secure the Counties and their Magazines in them. This order is set forth upon pretence, that severall Troops of Horse were gathered by the Lord *Digby* and Collonel *Lunsford*, who were to have a design to seize upon the County Magazine at *Kingstone* upon *Thames*: whereas (as might sufficiently appear by the Kings Declaration of the twelfth of *August* about this businesse) the whole transaction was no more then thus: Those Officers of the Kings late disbanded Army before mentioned, were upon the Kings departure from *Whitehall*, by reason of the encreasing Tumults, commanded to wait upon him and attend his pleasure; and going with him accordingly, were lodged at *Kingstone*; whither

The King
leaves London.

Sir Edward
Herberts
imprisoned.
January 14

some dayes after, the Lord *Digby*, accompanied with Collonel *Lunsford*, went in a 1641
Coach and six Horſes to give them a viſit; and thoſe ſix were all the Horſe that appear- Collonel
ed there, which yet the Parliament made uſe hereof to foment more and greater jea- Lunsford
ſies in the people; and Collonel *Lunsford* being ſurpriſed, is ſent to the Tower, but committed,
the Lord *Digby* fled beyond Sea. The King being alter at *Royſton*, the Parliament the Lord
under pretence of ſecuring themſelves and the people from thoſe jealousies and fears, *Digby* ſyes
which were then daily fomented, ſend their Petition to the King, humbly deſiring the *Petiſion for*
ſurrendry of the *Tower of London*, and other principal Forts of the Kingdom into their the *Militia*
hands; and that the management of the Militia might be ſolely in them. This Peti-
tion the Commons had deſired the Houſe of Lords to joyn with them in, but being re-
fused, went on ſingly of themſelves: but as this was a buſineſſe of the higheſt concern-
ment to the Kings Perſon that ever they aſked, ſo it was the firſt that he denied; for he
anſwers, That having preferred a perſon of known Fortune, and unqueſtionable re-
putation, to the * Lieutenancy of the Tower, he wondred they ſhould preſſe him to
remove him without any particular objections againſt him; therefore till ſome juſt ex-
ception, he was obliged to preſerve his own work, leſt his favour become a miſfortune
to his Servants. That for his Forts and Caſtles, they ſhould alwayes remain in ſuch
hands as the Parliament might confide in, which being the inſeparable Flowers of
the Crown veſted in him, derivative from his Anceſtors, by the Fundamental Laws of
the Kingdom, he would reſerve to himſelf; and to beſtow them as their Eminency
ſhould not be diſproved by Parliament. For the Militia, which by Law is ſubject to
no command but his own, when any particular courſe ſhall be digeſted by them for
ordering the ſame, in reference to his Honour, and the ſafety of the Kingdome, he will
then return them a ſatiſſactory anſwer: Yet he hoped, *That he having granted more then*
ever any King had done, they would not aſk more then ever ſubjects deſired, but purſue the
peace of the Kingdome, and not be transported by unneceſſary jealousies and fears, &c.
Yet this is not ſatiſſactory to the Houſe of Commons, who again and again petition the
King for the ſame, and for the clearing of the five Members of their Delinquency. And
to further theſe Petitions, the former courſe is taken of bringing Petitions from the ſe-
veral Counties to the Parliament againſt the Votes of Popiſh Lords and Biſhops, &c.
Nay, the very Women of *London* preſent their Petition, for which they have the thanks
of the Houſe for their care of the publick good. Whilt notwithstanding theſe tricks
of theirs, the Parliament perceive by the Kings anſwer to their Petitions, that he was
reſolved neither to truſt the Militia into any hands but his own; nor otherwiſe to clear
Kimbolton, and the five Members, but by a general Act of Indempnity and Pardon; *Articles of*
they therefore reſolve to find ſome other courſe to eſſect their deſigns, whilt the King *high Treafon*
reſolves to ſend the Queen out of danger: there being about that time a ſtrong report *againſt the*
that the Parliament had intentions to draw up Articles of high Treafon againſt her, *Queen, ex-*
(though the Parliament excuſed it as a publick ſcandal caſt upon them) which the King *cused by the*
(at leaſt) to prevent, ſends word to the Parliament, that he was deſired to ſend over *parliament.*
the Princeſſe *Mary* his eldeſt Daughter to her Husband, the Prince of *Orange*, giving *ſhe accom-*
them notice withall, that the Queen had deſired leave of him to accompany her. *Daugh-* *panies the*
ter into *Holland*; whither accordingly they went, the King himſelf bearing them com- *Princeſſe*
pany as far as *Dover*. *Mary to*
Holland

* Sir John
Byron

The Civill Warres

CHAP. XXXVIII.

The Parliaments Demands of, and the Kings severall Answers touching the Militia.

THe King at his return from Dover sent for the Prince and Duke of York to attend him at Greenwich, and from thence, to the City of York; which place (by reason of the continued Tumults of the London Rabble) he thought now the safest for his Residence; to which purpose he soon after set forwards, and at Theobalds was encountered with a Petition, for the granting of the Militia to them; this they had done once before (though with a denial) pretending (as now likewise they did) many fears and jealousies of a Malignant Party, &c. necessitating them to this request. This second demand of that which was so appropriate a right to the Crown, extremely amazed the King, and to it he answers; That they talked of fears and jealousies; but if they laid their hands on their hearts, they would finde that he had more reason to be disturbed with fears and jealousies which that Message could nothing lessen. That he thought his last answer had been agreeable to what in justice or reason they could ask, or he could grant, which he should not in any point alter. And because they in their Petition had taken notice of his absenting himself from London, and so from his Parliament; and the taking his Son the Prince with him, of whom they desired the tuition: He tells them, That he wished his residence near them might have been either safe or honourable; and for his Son he would take such care of him, as might justifie him to God as a Father, and to his Dominions as a King. Hereupon the Parliament proceeded to Vote, that all those jealousies and fears which they had pretended in their Petition were true and reasonable; that the Kings answer was a flat denial, and unsatisfactory; and that the Kingdom should be put in such a posture of defence as should be agreed on by Parliament: to which the Earl of Northumberland Lord Admirall had order to give speedy directions for the rigging and fitting out of all the Royal Navy for the service of the Commonwealth. And instead of another Petition, a Declaration was formed by both Houses, still harping upon their old string of the Kingdoms grievances, fears, and jealousies, &c. Whereupon they again demand the Militia, and that in io upbraiding a way, that the King at first hearing of this Remonstrance, could not but expresse somewhat of indignation, (especially when he looked upon the bringers of it, the Earls of Pembroke and Holland, the last of which, who read it to the King, having been from his Bed-chamber-man raised to that honour, and made a person as intimate in his Councel as Affection;) for herein they had ripped up whatever they could invent of scandal to the King; and particularly that his Majesty should grant his passe to Master *Fermin* (now Earl of Saint Albanes) then accused of High Treason, for endeavouring to seduce the English Army then in being against the Scots, and that his Majesty should to much further a seditious Petition then delivered him by Captain *Leg*, in behalf of that English Army, as to let C. R. to it. To the first of these passages, the King told *Holland*, 'twas false, and to the second, that 'twas a lye; and in summe gave them this answer to all. That he was confident the Parliament had worse Informations then he had Councels. That as to his comming near the Parliament, they had given him little cause, such Declarations not being the way to it; for in all *Aristotles* Rhetoricks he could find no such Argument of perswasion. And for the Militia he would not grant it an hour, a thing never asked of any King, with which he would not

of Great Britain and Ireland,

67
1641.

trust his Wife or Children : but to satisfy or rather undeceive his Subjects; and wipe off those scandals which the Parliament had endeavoured to throw upon him, He some dayes after publishes a large Declaration in answer to their Remonstrance; wherein he renumberats those many acts of grace which he had done, during the Sessions of this Parliament: so satisfactory to many of the moderate Members, that one of them demanded in the Houle, *What they could desire more?* to which Master Hampden immediately replied, *To part with his power and trust it with us;* which since he could not be induced to do, they resolve to be their own carvers, and take it from him. "First, by resolving that the Oath of Allegiance was no whit prejudiced by the Ordinance for the defence of the Kingdom; *So absolving the Subjects from their obedience.* Secondly, that the Kings Commission of Lieutenancy over the respective Counties were "illegal and void, but their Ordinances for the Militia to be obeyed as the Fundamental Laws of the Land: *Herby usurping to themselves that power which had rested in the King ever since England was a Monarchy.* This they Voted to be the subject of another Declaration, together with the inconveniences which *Ireland* might suffer by reason of the Kings absence from his Parliament: which the King hearing of at *Huntington*, sends them a Message, acquainting them, that he intended to make his residence at *Tork*, desiring them to expedite the business of *Ireland*; that if calamities should increase upon that people, he would wash his hands before all the world from any imputation upon him: and that he expected, that as he had been forward to retract any act of his entrenching upon them; so there would be an equal tenderness in them towards him, in an unquestionable Privilege and Fundamental. His Subjects not to be obliged to obey any Act, Order, or Injunction, to which his Majesty had not given consent: and therefore he required them not to presume upon any pretence of Order, or Ordinance (to which he was not a Party) of the Militia, or any other thing to do or execute against the Laws, he being to keep the Laws and his Subjects to obey them, &c. To this the Parliament returned no answer, but resolving their former Vote of the Militia, further added, That when the Lords and Commons assembled in Parliament shall declare what the Law of the Land is, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the privilege of Parliament, and therefore they appointed a Committee to examine who they were that advised the King to this Message, and to absent himself from this Parliament, whom they deem to be justly suspected as favourers of the *Irish* Rebellion, and enemies to the State. Whilst in the mean time the King continues on his Journey towards *Tork*, and in his way (at *Stanford*) to satisfy the people that he was not at all inclined to Popery, as the Parliament had several times endeavoured to represent him; he publishes a proclamation for putting the Laws in due execution against Popish Reculants. And soon after his arrival at *Tork*, he seriously desires the Parliament to take into consideration the relief of bleeding distressed *Ireland*; and to show them, that whilst he pressed them forward to so good a work, he himself would not be backward; he freely proffers to go himself in person, to endeavour the reducing of those Rebels to obedience; but the Parliament utterly refused the motion.

The Civill Warres

CHAP. XXXIX.

*The Kings Repulse at Hull: The Parliament in a posture of War:
Their Declaration.*

AT the disbanding of the English Army (raised against the Scots) in 1640. their Arms were laid up in the Kings Magazine at *Hull*, which he now in his proposition to the Parliament, to go himself in person to the relief of *Ireland*, tels them hee intends to make use of; but they having first dissuaded him from his resolution of going thither, next endeavour to secure those Arms in their own hands; and having first en-garrisoned the place under the Command of *Sir John Hotham*, (whom without the Kings knowledge or content they made Governour there in the place of the Earle of *Newcastle*) they then petition the King that those Arms and Ammunition at *Hull* might be removed thence to the Tower of *London*, alledging the great diminution of the Stores there, by reason of those supplies which had already, and were yet to be sent to *Ireland*. To this demand the King somewhat tartly replies, That he might rather demand an account of them, why a Garrison was placed there without his consent, why his own inclination was not sufficient for him to put the Command of a Town, Fort, or Magazine of his own into the hands of a Person of unquestionable sufficiency, yet they be so bold to commit it without his consent to *Sir John Hotham*. However that he was confident it should be rendered unto him, so soon as he should require it; for he hoped they would not serve him in this as they had done in the business of the Militia, Petition him, and make the selves Carvers; for if they should attempt any thing herein, he would hold it as an act of violence against him, and so declare it to all the world. Notwithstanding which, when the King soon after (upon Petition of the *Torkshire* people, that the Magazine at *Hull* might still remain there for the greater security of the Northern parts, thinking it convenient to take it into his own hands) went thither, accompanied onely with a Guard of his own servants, and some of the Neighbour Gentry, hee found the Gates shut, and the Bridges drawn up, and *Sir John Hotham* standing upon the wall, flatly denying him entrance, at first excepting against the greatnesse of the Kings Train, then against him and twenty Horse; and lastly against the Kings own person, unless upon conditions, which the King disdaining, caused *Hotham* to be immediately proclaimed Traitor. And the Act, certified by Letter to the Major and Fraternity of *Kingstone* upon *Hull*, to be High Treason against the Kings person, according to the *Stat. 25. Edw. 3. & 1. Hen. 7.* and therefore advising them and the Garrison not to adhere to *Hotham*, but to lay down their Arms, & admit of the King. And to the Parliament he sends a Message, requiring that the Town and Magazine might be immediately delivered up to him, and exemplary justice executed upon *Hotham*, till which be done, he shall answer no other business whatsoever; for to be worle in condition then the meanest Subject, nor to enjoy his own, 'twas time to examine how he lost them, and to try all possible wayes by the help of God, the Law and his good Subjects to recover them, and vindicate himself; wherein if he miscaried, he should be the first Prince of this Kingdom that had done so, &c. To this Message the Parliament returning no Answer, the King caused Scouts to be laid for the intercepting of such Letters as should passe between *Hull* and the Parliament, which the two Houses Vote such a breach of their Priviledge, as to defend it with their Lives and Fortunes; and soon after they send a Bill of their own drawn

*The Kings
Message to
the Parlia-
ment about it
Letters in-
tercepted.
Voted a
breach of
Priviledge.*

drawing up for the Militia, (utterly refusing to paffe on which his Majesty had ordered to be drawn up by his Privy Councel) to the King; the granting of which hee still constantly denies, and again demands Justice against *Hotham*; instead of condescending to which, the Parliament justifies him and his action, and Vore the Kings endeavour to possess himself of *Hull*, a breach of the Priviledge of Parliament: And further to hinder his proceedings in the County of *York*, the House of Commons appoint the Lord *Fairfax*, Sir *Philip Stapleton*, Sir *Henry Cholmley*, and Sir *Hugh Cholmley* to reside as a Standing Committee of Parliament at *York*, to pry into the Kings actions, undermine his proceedings, & insinuate with the people, that all their hopes of peace & happiness depended upon their adhering to this present Parliament. These Instructions they followed with such open confidence, that the King had not more meetings with the Gentry of that County, (who had lately professed themselves as a Guard to his Person) in his Palace called the Mannor House, then they had with the Freeholders and Yeomeny in the great Hall of the Deanry, which the King suffered, and thereby lost to himself the opportunity of raising an Army in that County, whereby he might have been beforehand with the Parliament, who while they amazed all men with fair and specious pretences, had now got into a posture of Arms, and published a large Declaration, (which the King in his Answer calls a Book) still haping upon all the Kings misactions from the beginning of his Reign to that present time, thereby presuming to degrade him of all power, and to invest it in themselves, by putting forth these absolute propositions. 1. That they have an absolute power of declaring Law; and that whatsoever they declare to be so, ought not to be questioned by the King or any Subject. 2. That no Precedents can bee limits to bound proceedings. 3. That a Parliament may dispose of any thing wherein the King or Subject hath a Right for the publick good; that they without the King are this Parliament, and judge of this publick good, and his consent is not necessary. 4. That no Member of either House ought to be troubled or medled with for Treason, Felony, or any other Crime, without the Cause first brought before the Parliament, that they may judge of the fact, and their leave obtained to proceed. 5. That the Sovereign power resides in both Houses, and the King ought to have no Negative Voice. 6. That the leavying of Forces against the personal Commands of the King (though accompanied with his presence) is not leavying Warre against the King, but the leavying of War against his politick person, viz. his Laws, &c. though not accompanied with his person; is leavying War against the King. 7. That Treason cannot be committed against his person, otherwise then as he is intrusted with the Kingdom, and discharging that Trust; and that they have a power to judge whether he have discharged this Trust or no. 8. That they may dispose of the King when they will, and are not to blame for so doing But that Declaration, and the Parliaments nineteen propositions, all which with the Kings Answers to them, would make a Book of themselves, I shal refer the Reader to seek at large.

CHAP. XL.

Preparations for Warre on both sides.

AND now the Breach begins visibly to appear, and both sides endeavour to weaken one the other; the Parliament by commanding all Shireffs, &c. to make stay of

The Civill Warres

1641,

of all Arms carrying to *York*, and to suppress all Forces of Horses and Foot coming together by the Kings Commission and Warrant; and the King by Proclamation forbids all his people belonging to the Trained Bands, or *Militia* of the Kingdom, to obey any Order or Ordinance of any of the Houses, according to a Statute, 7 *Edw. 1.* and commands all the Inhabitants of the County of *York* to meet him at *Hoyworth Moor* upon Friday in Whitlunweek, which the Parliament forbids them to do, declaring it to be contrary to Law. And to prevent the King as much as they could of Money, in regard they knew that the Crown Jewels were pawned by the Queen in *Holland*, and likely to supply the Kings necessities, they Order, "That whosoever hath or shall pay, lend, lend, or bring any Money *in specie* into this Kingdom for or upon those Jewels, or acceptance of any Bill thereafter, shall be an Enemy to the State. During these passages, many both of the Lords House, and likewise of the House of Commons desert the Parliament, and flee away to the King, for which nine Lords, *viz.* the Earls of *Northampton*, *Devonshire*, *Dover*, *Monmouth*, the Lords *Howard* of *Charleton*, *Rich*, *Gray*, of *Ruthen*, *Cowentry* and *Capel* are impeached and censured in the House of Lords; the Lord Keeper *Littleton* likewise flies away with the Great Seal, which most of all displeased the Parliament; and the King soon after sets a foot his Commissions of Array, in opposition to that Ordinance of theirs concerning the *Militia*; which the Parliament Vote to be against Law, the Liberty and Property of the Subject, and that the Actors therein shall be esteemed disturbers of the Peace, and betrayers of the Subjects Liberty. However it was executed in some Counties with success whilest the King resolving to leave *York*, first summons his Privy Counsel, and other Lords that attended him at *York*, to whom he declares, "That he would not require any Obedience from them, but what was warranted by the known Laws, and expected that they should not yeild to any Command illegally grounded or imposed by any other. That he would defend them & all those which should refuse any such Commands, whether they proceed from Votes and Orders of both Houses, or any other way, from all danger whatsoever: That he would defend the true Protestant Religion, established by the Laws, the lawful Liberties of the Subjects of England, and just Priviledges of all the three Estates in Parliament. And should require no further obedience from them, then as he accordingly should perform the same: That he would not, as was falsely pretended, engage them in any War against the Parliament, except it were for necessary defence against them who did insolently invade and attempt his Majesty and his Adherents. In answer to this Protestation of the Kings, the Lords did unanimously promise and engage themselves, not to obey any Orders or Commands whatsoever not warranted by the known Laws of the Land. That they would defend his Majesties Person, Crown, and Dignity with his just and legall Prerogative against all perions and power whatsoever; that they would defend the true Protestant Religion established by the Law of the Land, the lawful Liberties of the Subjects of England, and just priviledges of his Majesty, and both Houses of Parliament; and lastly, that they would not obey any Rule, Order, or Ordinance concerning any *Militia* that hath not the Royall Assent. This promise and Protestation was subscribed by the Lord Keeper *Littleton*, Duke of *Richmond*, Marquess of *Hartford*, the Earls, *Lindsey*, *Cumberland*, *Huntington*, *Bath*, *Southampton*, *Dorset*, *Salisbury*, *Northampton*, *Devonshire*, *Bristol*, *Westmorland*, *Barkshire*, *Monmouth*, *Rivers*, *Newcastle*, *Dover*, *Cannarvan* and *Newport*; the Lords, *Mowbray* and *Mattrovers*, *Willoughby* of

of Eresby, Rich, Charles Howard of Charleton, Newark, Pager, Chandoy, Falconbridge, Pauler, Lovelace, Coventry, Savil, Tohun, Dunsmore, Seymour, Grey of Ruthen, Faulkland, Master Comptroller, Secretary Nicholas, Sir John Culpepper, and Lord Chief Justice Banks. And his Majesty further endeavouring as much as hee could to obstruct the Parliaments preparations, writes to the Lord Major, Aldermen, and Sheriffs of London, forbidding them by expresse Command to leavy any Contribution of Money or Plate towards the raising of any Arms whatsoever for the Parliament; and that they should lend no Money, unlesse towards the relief of Ireland, or payment of the scots. Then he publishes his Generall Declaration, setting forth his Reasons why he was now forced to take Arms in defence of his own Right, and the Liberty of his Subjects, recounting the Parliaments many ridiculous fears and jealousies; and in the end promising all those which should assist him either with Money, Arms, or Ammunition, good assurance both of the principal and Interest at 8. per cent. upon his Forest Lands, Parks, and Houles, better security then that of the only Name publick Faith: And then (strengthened with some Armes from Holland, and with that profession of the Lords disavowing any preparations or intentions of War against the Parliament, but only endeavouring the firm and constant settlement of the true Protestant Religion, the just privileges of Parliament, the Liberty of the Subject, the Law, peace and prosperity of the Kingdom, which brought hands to his Arms: And having published a Declaration of the legality of his Commissions of Array, (which the Parliament soon after commanded the Sheriffs, &c. not to publish) he departed from York.

CHAP. XLI.

The Parliament Vote an Army: Their Petition to the King at Beverley: The Earls of Stamford and Essex proclaimed Traitors.

THe King from York came first to Newark in Nottinghamshire, where having called together the Gentry and Freeholders of the County, tells them, that their affections to him had been so great, that they had drawn him thither only to thank them; that he goes to other places to confirm and undeceive his Subjects, but comes thither to encourage them, &c. And from thence to Lincoln, where with a loving Speech he likewise salutes the Gentry; and being resolved to reduce Hull by force, he sends a Message from thence to the Parliament, telling them, that by his former Declarations, and his now Proclamation, they and all his good Subjects might see the just grounds of his present Journey towards Hull; before he should use force to reduce it to Obedience, requiring them that it may forthwith be delivered up to him, to which if they conform, he will admit of their further Addresses to him, &c. And with this Message he sends up a Declaration of his intentions to force Hull and *Horham* to Obedience: which Declaration the Parliament Vote to be illegal without their consent; and to oppose it, resolve that an Army be raised for the defence of the King and Parliament, and all such as shall obey the Orders of the two Houles. And over this Army they Voted the Earle of *Essex* to be *Generallissimo*, (with whom they will live and dye) and the Earle of *Bedford* General of the Horse; and send their Petition to the King at *Beverley* by the Earle of *Holland*, Sir *John Holland*, and Sir *William Stapleton*, praying the King to disband all his Forces about Hull, to recall his Commissions of Array, dismishe his Guards, and

come

The Civill Warres

1642,

come to his people and Parliament: But the King tells them (as with reason he might) that it was pitifull Councel to advise him, after their Martial designs, some proceedings and effects of their Forces, their Generalis assigned, and he robbed of his Navy by them, to perswade him to denude himself, and wait upon them; therefore he utterly refuses such advice. Which makes the Parliament go more vigorously on in providing Money, the sinnewes of War, which the Citizens upon the earnest Pulpit-Invitations of the Presbyterian Ministers, are very ready to yeeld them, from the Mistresses Silver Tankard, to the Kitchen-Maids Bookin and Thimble; nay some, as though some golden Calf were to be set up and worshipped, parted from their very Ear-rings and Bracelets; this was a way never before vied to perswade the people religiously out of their Money, to raise a War against their lawfull Sovereign; but their high pretence was Reformation of Religion, or indeed the very preservation of it, which to much drew in the Vulgar to their Party.

Tantum Religio potuit suadere malorum.

Whilest in the mean time the King had no other helps then what either his pawned Jewels from *Holland*, or the voluntary Contributions of such Lords and Gentry as were loyal to their King and Countrey, afforded him. From *Beverley* where he had answered the Parliaments Petition, the King goes to *Leicester*, where according to his former Cuttome, he summons the Gentry and Freeholders of the County, tells them his success in the Northern Counties, the acceptable Welcome which he found there; perceiving now that the former Errours of his good Subjects proceeded from mistakes and misinformations, proceeding from the deceits used by Declarations and Publications of the Parliament, pretended for the peace of the Kingdom, which rather would destroy it; therefore he hopes that to prevent their mischief, he needs not ask their assistance of Horse, Men, Money, and Hearts worthy such a Cause, in which he would live and die with them, &c.

Stamford
proclaimed
Traitor by
the King;
and vindicated
by
Parliament.

But here the Earl of *Stamford* Major Generall of the County for the Parliament, had against the Kings Command removed the County Magazine from the Town of *Leicester* to his own house at *Bradgate*, over which he had set a Garrison; for which he and his Adherents are by name proclaimed Traitors by the King, and soon after in a publick Declaration vindicated by the Parliament. That being in their service for the peace of the Kingdom, it was a high breach of privilege in the King to proclaim them Traitors, and therefore the said Earl and his Assistants are protected by them and all good Subjects. The King having made thus far progresse, by the first of *August* returns again into *Yorkshire*, where he summons the County, tells them of the Parliaments forward preparations for War, and desires their advice and assistance; for the Parliament had now published their Declaration of defence as they called it, but sure it ran in offensive strain; they in it declaring for the raising of all power and force by Trained Bands, or otherwise, to lead against all Traitors and Adherents that oppose the Parliament, (for so they termed all those generous souls, whose Loyalty constrained them to be assistants to their Prince) and them to kill and slay, as Enemies to the peace of the Kingdom; and in it they name most of the Kings Lord Lieutenants and Commissioners of Array in the several Counties, whom they Authorize their own Major Generals of the several Counties to destroy. Yet the King to be in some part even with them, publishes a Proclamation, That the Earl of *Essex* their General is a

parliaments
Declaration
of defence.

Essex pro-
claimed
Traitor.

Rebel.

of Great Britain and Ireland.

73
1642.

Rebel and a Traitor to the King and his Crown; and that all Colonels and Officers under him that should not instantly lay down their Arms, were guilty of High Treason; and commands Colonel *Goring* Governour of *Portsmouth* to oppose the Rebels, who had designed to besiege that place, and the *Marquess of Hartford* Lieutenant General of his Forces, to march against the said Earl of *Essex* and his Complices, and them to subdue, &c. By another Proclamation he demands and requires the aid and assistance of all his Subjects on the North side of *Trent*, and within twenty miles Southward, for the suppressing of the Rebels now marching against him; and in a very large Declaration concludes the quarrel on his part only defensive; that the Arms he now is forced to raise are not against the Parliament, but against particular men, who first made the wounds, and now would not suffer them to be cured, whom he would be ready to prove guilty of High Treason; and therefore desires, that the Lord *Kimbolton*, Mr. *Hollis*, Mr. *Pym*, Mr. *Hambden*, Sir *Arthur Haslerigg*, Mr. *Strode*, Mr. *Martin*, Sir *Henry Ludlow*, Alderman *Pennington*, and Captain *Pen* might be delivered up into the hands of Justice, to be tried according to Law; and against the Earl of *Warwick*, the Earl of *Essex*, the Earl of *Stamford*, the Lord *Brooke*, Sir *John Hotham*, Major General *Skippon*, and all those who should thenceforth execute the *Militia* according to the Ordinance, he should cause Indictments of High Treason, according to the Statute of 25. *Edw. the Third*; and let them but submit to their Trial according to Law, and plead their Ordinances, and if they then be acquitted, he should rest satisfied. But he must let all his loving Subjects know, that nothing but the preservation of the true Protestant Religion invaded by *Brownisme*, *Anabaptisme*, and *Libertinisme*, the safety of his Person, threatened and conspired against by Rebellion and Treason; the Laws of the Land, and Liberty of the Subject oppressed and almost destroyed by an usurped, unlimited, and arbitrary power; and the Freedom, Privilege, and Dignity of Parliaments awed and insulted upon by force and Tumults, could have forced him to put off the long loved Robe of peace, and take up defensive Arms. Yet still he offers pardon to all that desire it, (except only the persons aforesaid) which if they refuse to do, he must look upon these actions as a Rebellion against him and the Law. Yet the Parliament go forward notwithstanding this Proclamation of the Kings; and to expedite their Levies, they borrow one hundred thousand pound out of the four hundred thousand pounds, formerly ordered to be raised by Loans and Subscriptions for the relief of *Ireland*: whereupon the King minds them, that by an act of their own, no part of that money ought to be employed to any other purpose then the reducing of the Rebels; and therefore charges them, as they will answer the contrary to Almighty God, and to the King, that they immediately retract that mischievous, illegal, and unjust Order. To which he expected their speedy Answer and obedience; the rather, that he might be secured that such part of the four hundred pounds as is or should be collected for the Irish service, might not be employed under a false pretence in a War against him. The Parliament Vote, That this Message of the Kings directing them to retract their Order, was a high breach of the privilege of Parliament; that his wicked Councillors had raised the Rebellion in *Ireland*, and that only by the Kings absence from his Parliament, the relief of it was obstructed; and justify that the said one hundred thousand pounds is borrowed for the necessary defence of the Kingdom. Soon after the King finding the Parliament so forward in their Levies, thought fit to make haste for his defence.

K

CHAP.

The Civill Warres

CHAP XLII.

The King sets up his standard at Nottingham: His Messages thence to the Parliament.

** 'Twas an ill Omen, the very first day of its rising up, it was blown down by a great gust of wind, & the staff broken. Kings message for a Treaty.*

AND therefore his Majesty sets up his * Standard at Nottingham, which he requires all his true and loving Subjects to come to his assistance, for defence and preservation of the true Protestant Religion, his Majesties sacred person, and Laws and Liberties of the Subject: But yet his Majesty before he will proceed to Martial Execution, having yearning Bowels towards the Welfare of his people, and foreseeing the misery and destruction which must necessarily ensue by a Civil and Intestine War; on the twenty fifth of August he commanded the Earls of Southampton, and Dorset, and Sir John Culpeper Chancellour of the Exchequer, to attend the Parliament with this Message. "We have with unspeakable grief of heart long beheld the distractions of this our Kingdom. Our very soul is full of anguish untill we may find some remedy to prevent the miseries which are ready to overwhelm the whole Nation by a Civil War. "And though all our endeavours tending to the composing of these unhappy differences betwixt us and our two Houses of Parliaments, (though pursued by us with all zeal and sincerity) have been hitherto without that successe we hoped for: Yet such is our constant and earnest care to preserve the publick peace, that we shall not be discouraged from using any expedient, which by the blessing of the God of Mercy may lay a firm foundation of peace and happinesse to all our good Subjects. To this end, observing that many mistakes have arisen by the Messages, Petitions, and Answers betwixt us and our two Houses of Parliament, which happily may be prevented by some other way of Treaty, wherein the matters in difference may be more clearly understood, and more freely transacted. We have thought fit to propound to you, that some six persons may be by you enabled to treat with the like number authorized by us, in such manner, and with such freedom of Debate as may best tend to that happy conclusion which all good men desire, *The Peace of the Kingdom*; wherein, as we promise in the word of a King, all safety and encouragement to such as shall be appointed by you, if you shall chuse the place where we are for the Treaty, which we wholly leave to you; presuming the like care of the safety of those we shall employ, if you shall name another place; so we assure you and all our good Subjects; That (to the best of our understanding) nothing shall be therein wanting on our parts, which may advance the true Protestant Religion, oppose Popery and Superstition, secure the Law of the Land, (upon which is built as well our just Prerogative, as the Propriety and Liberty of the Subject) confirm all just power and privileges of Parliaments, and render us and our people truly happy, by a true understanding betwixt us and our two Houses of Parliament. Bring with you as firm resolutions to do your duty, and let all our people joyne with us in our prayers to Almighty God for his blessing upon this Work. If this proposition be neglected by you, we have done our duty so amply, that God will absolve us from the guilt of any blood which must be spilt. And what opinion soever other men may have of our power, we assure you that nothing but our Christian and pious care to prevent the effusion of blood hath begot this Motion; our provision of Men, Arms, and Money being such as may secure us from further violence, till it please God to open the eyes of our people. This Message being brought by the aforementioned persons, the bearers were not permited to sit in the Houe; nor the Earle of

Southampton,

Southampton, against whom there could no exceptions be made, suffered to deliver the Message, which was carried in by the Usher of the Black Rod, and the Messengers immediately commanded to depart the Town before the Parliament would prepare any answer: which at length they sent to the King to this effect. "That untill his Majesty should recall those Proclamations and Declarations of Treason against the Earl of Essex, and both Houses of Parliament, their Adherents and Assistants, and all such as have obeyed and executed their Commands and Directions according to their Duty; and untill his Majesty shall take down his Standard set up in pursuance of the said Proclamations, they cannot by the Fundamental priviledges of the Parliament, the publick Trust reposed in them, or with the General good and safety of the Kingdom, give any further answer. Yet to this his Majesty replies, That he never intended to declare the Parliament Traitors, or set up his Standard against them; therefore if they will resolve to treat, a day shall be appointed for either party to revoke all Declarations against all persons as Traitors, and for him to take down his Standard. But they retort, that unless the King will without any further add denude himself of all his power, take down his Standard, revoke his Proclamations, forsake his evil Counsellors, and return to them, (the only (say they) way to make his Majesty and the Kingdom safe) they cannot recede from their former Answer: and to confirm their Resolutions they declare, That the Arms which they have been enforced to take up for the preservation of *Parliament* the Kingdom, Religion, Laws, and Liberties, should not be laid down untill the King Declaration should withdraw his protection from such persons as have been Voted Delinquents, and their Resolutions shall leave them to Justice, to the end their Estates may discharge the Debts and Loan Lutions not Money of the Commonwealth; and to that effect, they proclaim Sir *John Lucas* Traitor to lay down Arms, whom they seized at *Colchester*, and committed prisoner to the *Gatchouse*; and impeach the Lord *Strange*, Son and Heir to the Earl of *Derby*, of High Treason, for having Sir *John* (as they said) with intent and purpose to subvert the Laws, upon the fifteenth of *Lucas*, and *July* then last past, at *Manchester* in the County of *Lancaster*, traiterously summoned, the Lord called together, and raised great Forces, and had killed, murdered, and destroyed *Strange* pro- *Richard Percival*, a *Linnen Webster*. And for the better prosecuting their intended claimed Resolutions, they draw the Scots to their party, with whose assistance they undertake to Traitors by Reform all Christendom, and strongly prosecute the raising of Money by Loans and *Parliaments* Subscriptions upon the Credit of publick Faith; those who would not subscribe were secured as Malignants, among whom was Mr. *John Fountain* afterwards *Serjeant Fountain*, who being demanded what he would lend? made answer, That it was against the *Petition of Right* to answer, yea or no. Whereupon he was committed to the *Gatchouse*. Endeavours are likewise used to possesse Foreign Nations with the justnesse of their Cause, Mr. *Walter Strickland* is sent over Agent from the two Houses to the united States of *Holland*, with Credential Letters, & a large Declaration of the Justice of their proceedings, and complaints of the Prince of *Oranges* assistance to his Father-in-law.

CHAP. XLIII.

The two Armies take the Field: Some Military Effects on both sides: *Edgehill* Fight and *Brenford*.

Since no Solicitations of the Kings could draw the Parliament to either Treaty or Agreement, it could not be expected but Blood must follow. To give the first onset

The Civill Warres

1942.
Hotham
sails out of
Hull.

offer to which, Sir *John Hotham* (who had first indeed begun the Civil War, by his denying the King Entrance into *Hull*) sallies out of his Garrison with forty Horse, and sails upon one hundred and fifty Foot of the Kings party, which were lodged at *Anlaby*; these thus surprized, shifted away; but Sir *Johns* party flesh't in blood by killing their two Sentinels, galloped after them, took their Colours, and about seventy Muskets, with some prisoners. In the West the Trained Bands of *Hampshire* besiege *Portsmouth* for the Parliament, (then kept by Colonel *Goring* for the King) to whom they joyn Colonel Sir *John Merricks* Regiment of Foot, and a Troop of Horse. The Kings Army at first formed at *Tork*, and after Rendezvouz at *Moulingham*, where he set up his Standard, (about which time arrived in England the two Princes, *Rupert* and *Maurice*, Sons to the Prince Elector *Palatine* of *Rhine*, to tender their Service to their Uncle, by whom they were soon employed) from thence toward *Stafford* then to *Leicester*, and so to *Wales* settling himself at *Shrewsbury*, still rowling as he went along, and gathering strength in all places; but here he got so considerable a body, that he might adventure to face the Enemy. In his Journey between *Stafford* and *Willing* he caused the Orders Military to be read; and himself tells them, That he should be very severe in punishing every person offending without distinction. That he could not suspect their Courage and resolution, their Conscience and Loyalty having brought them thither; for their Religion their King, and the Laws of the Land, against their Enemies, none but Traitors, most of them *Brownists*, *Anabaptists*, and *Atheists* such as desire to destroy both Church and State, and who had already condemned them to ruine for being Loyal to their King. And to let them and all the World know, and bear witness of the justness of his Cause, he makes this protestation in the head of his Army. "I do promise in the presence of

The Kings
solemn Pro-
testation.

"Almighty God, and as I hope for his Blessing and protection, that I will to the out-
"most of my Power defend and maintain the true Reformed Protestant Religion establi-
"shed by the Church of England, and by the grace of God in the same will live and dye.
"I desire to Govern by the known Laws of the Land, and that the Liberty and Propriety
"of the Subject may be by them preserved with the same care as mine own just Rights.
"And if it please God by his blessing upon this Army raised for my necessary defence to
"preserve me from this Rebellion, I do faithfully promise in the sight of God to main-
"tain the just Priviledges and freedom of Parliament, and to govern by the known Laws
"of the Land to my utmost powers; and particularly to observe inviolably the laws con-
"sented unto by me in this Parliament. In the mean time, if this time of War, and the
"great necessity and straits I am now driven into, beget any violation of these, I hope it
"shall be imputed by God and Man to the Authors of this War, and not to me, who have
"so earnestly laboured for the peace of this Kingdom. When I willingly fail in these par-
"ticulars, I will expect no aid or relief from any man, or protection from Heaven. But
"in this Resolution I hope for the cheerful assistance of all good men, and am confident of
"Gods blessing. How far this Protestation is from any Intentions of an Arbitrary or
"Tyrannical Government, which the Parliament possesseth the people the King aimed at,
"I leave to every honest Reader to judge. In the meantime the Parliaments Forces for-
"med first at *London*, Rendezvouz at *St. Albans*, whither on the ninth of September the
"Earl of *Essex* sets forth, waited on by the Parliament, and accompanied with the shours
"of many thousands of people. The Instructions given him by the Parliament at his set-
"ting forth were to this effect. 1. To restrain all Prophanesse in his Army. 2. To
"march

Essex Instru-
tions.

of Great Britain and Ireland.

77
1642,

march and fight with the Kings Army, and by Battel or otherwise to rescue his Majesties person, the Prince and Duke of York, out of the hands of those now about him. 3 To take his opportunity in some honourable way to cause the Petition of Parliament to be presented to his Majesty, who if he pleased to withdraw himself from his Forces, and resort to his Parliament; the Earl should cause those Forces to disband, and should serve and defend the King with sufficient strength in his return. 4. That he should declare that if any wil (within ten dayes after publication) withdraw from assisting the King, and return to the Parliament, they shal have pardon, except Delinquents already Voted or to be Voted, or Impached, or who shal be Impached of High Treason, or have been eminent or active against the Parliament, and except the Duke of Richmond, The Earls of Cumberland, Newcastle, Rivers, and Canarvan Viscounts, Newark & Falkland, Secretary Nicholas, Mr. Endimion, Porter, & Mr. Edward Hyde, (now Lord Chancellor.) 5. To receive Loans or Contributions of Money, Plate, Horses for the support of the Army, certifying the summes of Money, weight of Plate, and value of Horses, that the persons may thereby be repaid upon Publique Faith. 6. To protect the good people from violence of the Cavaliers, and to restore them their losses. 7. To apprehend all persons impeached as Traytors or other Delinquents, and to lecture them to the Parliament. 8. To observe such further Directions, as he shal receive from the Parliament. Thus are both Armies set forth into the Field; but besides those with the King, Sr. John Byron having raised some Troops for the King in Oxfordshire, marching towards Northampton is surprized in his Quarters at Brackley by some of the Roundhead Horse, (for that distinction was now frequently used between the Parliaments party, and the Kings, who were called Cavaliers) who assisted by the Treacherous Townsmen, forced him to retreat to the Heath, with the losse of his Servants, some Carriages, and his Cabinet of Papers, the last of which he ascer demands by Letter of Mr. Clark of Croughdon, into whose possession they fell, but with no other successe, then the having of them and his Letter transmitted to the Parliament, whereupon he and his adherents are proclaimed Traitors. But from thence Sr. John marched to Worcester, which he possessed for the King, which Mr. Nathaniel Finnes, Son to the Lord Say, and made a Collonel of Horse by the Parliament, endeavouring to oppose with the help of the County Volunteers; who raised themselves, and were led thither by Commanders of their own, where they expected to meet Mr. Finnes who had faced the Town before the Foot came there, and drawn off again; but returning again with Collonel Sandys fell upon it upon the Welch side of Severne, being informed by a Spy, that their General Essex (who had from Sr. Albans marched to Northampton, and from thence to Worcester to seek out the King, whither it was informed he would advance) was at hand to assault the other side of the Town; but in stead of him Prince Rupert (who had for some time coasted the Countreys about with a party of about five hundred Horse) was there, who rushed into their Ambuscado with his Horse, and encountered them in such a place, that what with the strait passage of the Bridge, and the narrowness of the Lane (where not above four could march abreast) neither the Rear could come up, nor the Van retreat. So that a great slaughter was made of them, the whole party routed, Collonel Sandys and some others taken Prisoners; thus the Prince posselt himself clearly of Worcester, which yet finding not tenable, and Essex his Army drawing nigh, he immediately marched out of, (and by constant flying up and down the Countrey, so encreased his force, that he began to be

*Sir John
Byron re-
treats from
Brackley.*

*He and his
adherents
proclaimed
Traitors.*

looked

1642. looked upon as Considerable; and in enters *Essex* with his Army, where he staid for a moneth, sending out severall parties, as the Earl of *Stamford* to *Hereford* to prevent the Kings Leavies in *South Wales*; and Colonel *Thomas Essex* first to *Glocester*; and afterwards to *Bristol*, (a considerable Sea port) which he engatisoned for the Parliament, whilst the general fear of the Kings marching up from *Shrewsbury* to *London*, for his Army was now grown formidable, made the Parliament endeavour by raising of like Trained Bands of the associated Counties of *Essex* *Hartford*, *Middlesex*, and the City of *London*, and by imprisoning all such as would not subscribe to their assistance, whom they branded with the Name of Malignants to secure themselves, the Suburbs of the City of *London* are likewise fortified with Postes and Chains; for in many Counties Forces began to appear for the King, in *Yorkshire* under the command of the Earl of *Cumberland*,

Forces for the King in *Yorkshire*. in *Cornwall*. Sir *Francis Wortly*, Sir *Marmaduke Langdale*, and others who were resolved to have a fight with Sir *John Hothams* Son, who had there a party of Roundheads, but he retreated to *Hull*. In *Cornwall* a body was framing by the care and industry of Sir *Nicholas Slanning*, and Sir *Bevil Grenvile*; and hither Sir *Ralph Hopton* is shortly after sent to command in Chief. In the mean time the King having Carrelled the inhabitants of *Denbighshire*, and *Flinshire*, and mightily increased his Army by the great confluence of the Welchmen, who by the faithfull care of the Earle of *Worcester*, flocked in on all sides, calling the adjacent Brigades together, advances to find out *Essex*, and on the two and twentieth of *October* being Saturday, lodges at Sir *William Chauncies* house, within six miles of *Keinton*, whilst *Essex* is quartered at *Keinton*: On the next morning the King from the top of *Edgehill* with his Prospective Glasle takes a view of *Essex's* Army, lying about a mile distant in the Vale of *Redhorse*; but before he could draw his Army in *Batavia*, he was bid defiance by three piece of Ordinance shot from *Essex's* his Camp. Whereupon the King being asked what he meant to do, replied, "To give him Battel; 'Tis the first time (sayes he) that ever I saw the Rebels in a body: God and good mens prayers to him assist the justice of my cause: And immediately the Battel was ordered, & defiance returned by firing two piece of Ordinance from the Kings Camp. The Earl of *Lindsey*, Lord High Chamberlain of England, was Captain General of the Kings Army, who led on the main Battel with a Pike in his hand; the Fight was ordered by the Lord *Rushven*, (since Earl of *Forth*) most of the Horse were placed on the Right Wing, on the left some Horse and Dragons. The Right Wing of the Parliaments Horse consisting of three Regiments, was commanded by Sir *William Belford*, Lieutenant General. The main Battel by the General; and the left Wing by Sir *James Ramsay*, Commissary General of the Horse. Being thus Marshallled in Order, Major *Bosstock*, and Captain *Hammond* with the Kings Forlorn-Hope drew down the Hill to the side of a Ditch, lined with some Roundhead Musqueteers, upon whom they had no sooner fired and received an answerable Volley, but the Kings Cannon firing, both Armies fell to their bloody work. Prince *Rupert* General of the Horse who commanded the Kings Right Wing with a great deal of facility routed the Roundheads left Wing of Horse, commanded by Sir *James Ramsay*, and pursued the Chase (too far) two miles beyond *Keinton* Town, for by that means he left the Kings Foot on that side naked of horse, though it was upon presumption, that he had left a sufficient Reserve under the Command of the Earl of *Canarvan*; yet *Essex* espied so much advantage by it, that he commanded Colonel *Harry*, with Colonel *Fieldings* Regiment, the Reserve of the Parliaments

The King advances. And lodges within six miles of him

Edgehill Battel

aments Right Wing, Colonel *Bowels*, and the Lord *Pagers* Regiments to fall in upon the Kings Foot, which put them in great straits. The Lords *Ruhven* and *Wilmot* who commanded the Kings left Wing did excellent service, though not with that absolute success which the Prince's fortune gave him. In the mean time the Lord General *Lindsey* so adventerously hazarding his person, was encompassed with Enemies on all sides, to whose Rescue his Sonne the Lord *Willoughby of Eresby* hastening with such few as he had then about him, was over-powred, and both Father and Sonne taken Prisoners, the first Desperately wounded died the next Day. The Knight *Marshall* and Standard-Bearer *Sir Edward Varney* was killed upon the Place, and the Standard like to have been lost, had not Mr. *John Smith*, a gallant Gentleman rescued it, by giving him who had like to have surprized it his last farewell with a bullet; for which service he was Knighted under the Banner, which he afterwards carried. The Foot still from the beginning to the ending continued their rough salutes of Volleys one against the other; General *Essex* his, Colonel *Hollis* his, and Colonel *Hambdens* Regiments standing stilly to it, most of their men being young *London* Apprentices, who in the heat of their blood fell on and maintained their ground without fear or wit; yet it was more then probable had the day continued a little longer, (for night parted them) the King had gained an absolute Victory, and quashed the Rebellion in a day: the Kings Life-Guard consisting of an hundred and twenty Gentlemen able to spend one hundred and fifty thousand pounds of yearly Revenue, commanded by the Lord *Bernard Stuart* youngest Brother to the Duke of *Richmond*, and afterwards created Earl of *Lichfield*, performed excellent service: nor must *Sir Faithful Fortescue* be forgotten, who though he had the Command of a Troop of Horse under the Earl of *Essex*, yet forgot not to shew his Loyalty to his Prince now at occasion, for having before given advice to some of the Kings Party by his Corner at the very beginning of the fight, when both Armies were ready to give the Charge, firing his Pistol upon the ground, wheeled about and came to the King. Nor wanted there those in *Essex* his Army, who performed service worthy a better Cause then that they fought for; the Generals, Colonel *Hollis* his, and Colonel *Hambdens* Regiment of Foot stood and endured the brunt of the Battel, when others ran away and deserted them. In this battel the King lost the Earl of *Lindsey*, General of his Army, and his Son the Lord *Willoughby of Eresby* taken prisoner; *Sir Edmund Varney* Standard-bearer, was likewise slain, and some other persons. On the Parliaments side, though there were a greater quantity lost, yet not the like in quality; so that one well observed; That the King flaked Pearls against Pebbles; on their side was taken prisoner the Lord *St. John Hue Bullenbroke* of *Bleisfoc*, who was proffered to be exchanged for the Lord *Willoughby*, but e're effected *St. Johns* dies, and so payes their first and last debts. A dispute which took up more moneths then the battle continued hours, was afterwards raised, Who had the Victory? both sides (but especially the Parliament, who had doubtlesse least reason) giving thanks to God for so signal an overthrow of their enemies; yet in the judgement of most, the Victory was the Kings, in regard he gained what he fought for, viz. a clear passage for his Army up to *London*; which that he had done might clearly appear, (not only in his taking of *Banbury* two dayes after without any resistance) but most especially by that Order of the Parliaments of the twenty fourth of *October*, the next after the fight, commanding all the Citizens of *London* and *Westminster* to shut up their shops, and put them

Lindsey & his Son take Sir Edward Varney slain.

The Civill Warres

themselves in a readinesse, to defend themselves and the Parliament; which Order they certainly would never have made, had not they stood in fear of the Kings marching up directly thither with his victorious Army: and a great deal sooner might the King have been at London, had not the taking in of *Banbury, Redding, and Oxford* (then possessed by the Parliaments Forces) retarded his Marches; which delays of the Kings *Essex* took diligent hold of, and by hasty Marches got again between the King and London; for which service he better deserved that five thousand pound given him, and that Declaration of the eleventh of *November* after made by the Parliament, (*Concerning the late valorous and acceptable service of his Excellency Robert Earl of Essex, to remain upon record in both Houses, for a mark of honour to his Person, Name, and Family: and for a monument of his singular vertue to posterity*) then he did for any such signal Victory, as the Earles of *Pembroke* and *Holland*, the Lords *Say, Wharton, and Brooke*, Mr. *Strode, &c.* would have perswaded the City he had gained over the Kings Army at *Edgehill*. But to proceed. The King, as I said before, having reduced *Banbury, Oxford, and Redding*, and being ready to march from the last towards London, he is there encountered with a paper from the Parliament, praying, that a Committee of both Houses might have safe conduct, to come and adressed the Parliaments humble desires to the King, for composing of difference, and sending a peace: which the King grants, provided the Committee consisted of no such persons as had by name been proclaimed Traitors, and came not with above thirty persons, and accordingly a safe conduct was sent for two Lords, and three Commons, the fourth of the last, viz. Sir *John Evelin* of *Wills* being excepted against, as having been proclaimed Traitor at *Oxford*: but whilst the Parliament thus mediated an Address for peace, they made all possible preparations for War; particularly, by making that Ordinance, That Apprentices should enjoy their Freedom as well in theirs as in their Masters services; which made many wilde headed Lads desert their Trades, and turn Souldiers. A great Recruit to *Essex* his Army, who now lay between London and *Colebrook*, whither the King was advanced with his Forces, and where he received the Petition of the Parliament, brought him by those Lords and Gentlemen named in the safe conduct, (viz. The Earl of *Northumberland*, the Earl of *Pembroke* and *Montgomery*, of the Lords House; Mr. *Pierrepont*, the Lord *Wainman*, and Sir *John Hippisly* of the Commons) without Sir *John Evelin*. This Petition ran in an humbler strain then their former Messages to the King used to do, and was to this effect, "That being affected with a deep and piercing sense of the miseries of this Kingdom, the danger of his Majesties person, and the great effusion of blood spilt in the late Battel, and weighing the addition of losse and miseries, if both Armies should again joyn in another fight, as without Gods blessing and his Majesties concurrence could not be avoided, to which they believed his Majesty had a suitable impression of compassion to accept of this their Petition, and to appoint some convenient place not far from London, where his Majesty would be pleased to reside untill Committees of Parliament might attend with some propositions to his Majesty, for the removal of those distempers, &c. This Petition the King liked well, but the same night the eleventh of *November* that he had sent away the Messengers, who were scarce gone with his Answer, (testifying the deep sense he had of the Nations miseries by this War, and that he would reside at his own Castle at *Wind sor*, till such time as Committees might be sent to him either thither or to any other place, if that should

not be liked of) but news was brought, that *Essex* had advanced with his Army and Artillery towards him; and that having posselt himself of the Passes of *Windfor*, *Kingston*, and *Adan*, if *Brentford* were likewise possessed, the Kings Army would be wholly surrounded, and so deprived either of moving or subsisting; whereupon a Council of War being call'd, it was resolv'd that the King should advance towards *Brentford* and posselt it himself, or else disposelt the enemy; the last of which he did, and with a very inconsiderable loss, on *Novemb. 15.* beat two of the Parliaments best Regiments out of the Town, killed their Commander in Chief, and several others, took five hundred prisoners, and as many Arms, fifteen Peece of Ordnance, eleven Colours, and store of Ammunition; and was resolv'd the next day to have advanced on towards *London*, had not advice come, that both the remainder of that Army under the Command of *Essex*, and the Auxiliaries of *London* under the Earl of *Warwick* were drawn up on *Turnham-Green* to oppose his marching further; whereupon notwithstanding many very good reasons for the Kings further advance towards them, it was judg'd more secure for him to retreat, he having done enough in honour; and though the rawnesse and unskillfulnesse of the Parliaments Army might be a very good argument for his engaging them, yet considering the fortune of War so uncertain, that the King had no other Army then this, nor any possible way to raise another should this miscarry; that was judg'd most fitting which was most safe, according to which advice the King retreated to *Redding*, and so to *Oxford*.

CHAP. XLIV.

The Northern Affairs under the Earl of Newcastle for the King, and the Lord Ferdinando Fairfax for the Parliament; The Lord Aubignie's death; The City and Parliaments Petition; The Queen Lands in England.

THE Kings Affairs in the North had now no lesse seeming fair successe under the command of *Newcastle*, then under his own conduct in the South; for the Earl having rais'd a considerable Force in *Northumberland*, *Cumberland*, &c. march'd over the *Tees*; the very fear of whole coming caus'd Sir *Edward Lossus* with the *Richmondshire* Forces, and Sir *Henry Anderson*, with those of *Cleveland*, to return home to their houses; so that the whole *Yorkeshire* Forces under Command of the Lord *Ferdinando Fairfax* for the Parliament, amount'd to no more but twenty one Companies of Foot, seven Troops of Horse, and one Company of Dragoones; whereas the Earls Forces for the King being joyn'd with the Earl of *Cumberland*, made up a complear Army of eight thousand men, whereof two thousand Horse and Dragoons. With this Army the Earl of *Newcastle* forces the Lord *Fairfax*, and his Lieutenant General *Captain Hotham* out of *Tadcaster*, and took *Bradford* by Storm, though with a greater losse on his own party then the Parliaments: but Sir *Thomas Fairfax*, who was sent to *Leeds* with a small party to posselt himself of that, was forced back with a considerable losse, though he soon afterwards took it by onslaught. The Earl still growing more and more potent, not only by reason of the greatnesse of his Army at first, which was still augmented by the Countreys coming in to him as of the prevailing party, but likewise by a supply of Arms, Money, Ordnance, and Ammunition; together with the Queens Standard brought over by Colonel *Goring*, who was order'd to joyn with *Newcastle*; so that

The Civill Warres

The Lord
Aubigne's
death.

the Parliament fearfull lest the greatnesse of the Earl of *Newcastles* Army should not only wholly over-power the North, but likewise spread its effects nearer towards them, authorize the Counties of *Norfolk, Suffolk, Essex, Cambridge, Hertford, the Isle of Ely,* and City of *Norwich*, to associate for the defence of the Kingdom; and the Lord *Grey of Wark* is by Commission from the Earl of *Essex* made Commander in Chief, or Major General over those Counties, with Instructions to govern there, and Authority to raise Forces, &c. as he should think fit. But to return to the King at *Oxford*, soon after his Majesties Arrival there died the thrice noble and truly valiant Lord *Aubigne*, second Son to *Esme* Duke of *Lenox*, who received his deaths wound at *Edgehill*, and was solemnly interred at *Oxford* on the thirteenth of *January*. The first he was, but not the last of that noble Family that lost his life in his Majesties service. These times brought forth the City's Petition to the King, in which they endeavour to vindicate their own Loyalty by telling him, "That they were deeply pierced with gangrene wounds of his Majesties fear to hazard his person, in returning home to his City; that they abhorred all thoughts of disloyalty; that they would make good their late solemn Protestation and sacred Oath with the last drop of their dearest blood, to defend and maintain the true Reformed Protestant Religion, his Majesties Royal Person, Honour and Estate; and that they did thereby engage themselves, their Estates, and all they had, to defend his Majesty with as much Love, Loyalty, and Duty as ever Subjects expressed towards their Sovereign. The King to this returns them answer. "That he could distinguish some good Subjects in the City from the bad, they were not all guilty; but what confidence could he have there, where the Laws of the Land were notoriously despised, the Government of the City submitted to the power of a few desperate persons of no reputation, such as *Pennington* their pretended Major, the principall of those calamities, which threatened ruine to that heretofore famous City, *Ven, Foulk, and Manwaring*, all of them notoriously guilty of Schisme and High Treason, in oppressing, robbing and imprisoning his good Subjects, because they will not rebell against his Majesty, nor assist those that do; yet he condemns not all for some that are guilty, but offers his gracious pardon to all, except such as are excepted, if they shall yet return to their duty; if not, he summes up the misery that would necessarily fall upon every such person as should continue acting and assisting the Rebellion. This Answer of the King touched many chief Citizens Consciences, and fearfull the Parliament were lest it should work too much upon them; they therefore carrells the Common Council, and tell them, That the Kings Answer to their Petition reflected in a very high measure upon persons of very eminent authority and fidelity amongst them; that the Parliament did own them and their actions, and would live & dye in their defence, &c. Which sense of the Parliament is delivered by Mr. *Pym* in a free speech, and received by the Rabble of the City with infinite Acclamations, that they would live and die with them; which resolution of the City emboldened the Parliament to send fourteen ranting Propositions to the King by four Lords, and eight Commons, desiring him, "To disband his Army, and return home to his Parliament. "To leave Delinquents to Trial. To cause Papists to be disarmed. To pass a Bill for the abolishing the Church Governours and Government; and to pass such other Bills as shall be devised for a new Reformation. For Recusants to abjure Papacy. "To remove malignant Councillours. To settle the Militia as the Parliament please.

"To

“To prefer to the great Offices and places of Judicature such of the Parliament as they
 “name, and to take in all such as have been put out of the Commissions of the Peace.
 “To passe a Bill in vindication of *Kimbolton* and the five Members. To enter into
 “alliance with his Protestant Neighbours for recovery of the Palatinate. To grant a
 “general Pardon, with exception of the Earl of *Newcastle*, the Lord *Digby* and others.
 “To restore such of the Parliaments Members to their Offices and places, and to satis-
 “fie for their losses, &c. These Propositions, but much more, the ranting Preamble
 which preceded them, extremely amazed the King. To which he answers, “That if
 “he had not given up all the faculties of his soul to an earnest endeavour of a Peace and
 “Reconciliation; or if he would suffer himself by any provocation to be drawn to a
 “sharpened language at a time of overtures of accommodation; he could not other-
 “wise but resent their heavy charges upon him in the preamble, and not suffer the re-
 “proaches which they cast upon him: but his Majesty would forbear bitterness, or the
 “heat of his own sufferings throughout; that if it be possible the memory of them might
 “be lost to the world, and how unparliamentary it is by Arms to require new Laws:
 “Yet he is pleased that a speedy time might be agreed upon, for a Meeting to debate
 “those Propositions of theirs, and these of his, viz. That his own Revenues, Magazines,
 “Towns, Ships, and Forts be restored. That what hath been done contrary to Law,
 “and the Kings Right, may be Renounced and Recalled. That all Illegal Power
 “Claimed or Acted by Orders of Parliament be Disclaimed. That as he will readi-
 “ly consent to the execution of all Laws made or to be made concerning Popery or Re-
 “formation; so he desires a Bill for preserving the Book of Common Prayer, and a-
 “gainst Sectaries. That all persons to be excepted against in the Treaty may be tried
 “per pares. That in the mean time there be a cessation of Arms, and free Trade; but
 nothing was done till the last of *February*: when the King reminding the Parliament of
 his Proposals of the third of *February*; They Vote, that there shall be a Treaty upon
 the Propositions, before the Disbanding, and to begin the fourth of *March*, for twenty
 dayes, and no more; and they therefore desired a safe conduct for their Commissioners,
 the Earl of *Northumberland*, the Lord *Say*, Master *Pierrepont*, Sir *William Ermine*,
 Sir *John Holland*, and Master *Whitelock*: the Lord *Say* was excepted against, having
 been proclaimed Traitor at *Oxford* on the third of *November*: The rest went, but had
 as good have sat still at *London*; for after a great deal of time spent, they returned back
 on the seventeenth of *April*, 1643. without any effect. Some time before the Com-
 mencement of this Treaty, arrived General *King* from *Holland* with six thousand Arms,
 and joyned himself with the Earl of *Newcastle*; and soon after on the sixteenth of *Febru-*
 ary, the Queen took Shipping for *England*, but was by extremity of Weather driven
 back; and at length, having passed much danger and hazard, on the nineteenth she arrives
 at *Burlington Bay*; and on the two and twentieth lands at the Key, accompanied with
 many Commanders of Note; and bringing with her good store of Money, Arms, and
 Ammunition; but being ashore, she endured a worse Tempest there then she had done
 by Sea: for the next night after her arrival four of the Parliaments Ships unespied, en-
 tered the Road, and about five a Clock the next morning, began to ply their Ordinance
 as fast as they could possibly upon the Village; one of them flanking the house where the
 Queen lay, insomuch that two Cannon Bullets fell from the top to the bottome of the
 House where she was, which forced her to leave it, and retire to the shelter of a Ditch
 behind

Queenlands
in England.

The Civill Warres

Montrose
comes to the
Queen at
York.

behind the Town; whilst in her way the Cannon Bullets flew very thick: inasmuch that a Serjeant was killed within twenty paces of her. Yet the Parliaments Ships had not then given over, had not the Ebbing of the Tide, and some Threats from the Admiral of Holland who brought the Queen over, enforced them. From hence she went to York, where she was received by the Earl of Newcastle, and whither comes to her the Earl of Montrose and Lord Ogilby with a hundred and twenty Horse; who having found out the under-hand treacherous dealings of the Scottish Covenanters, deserted them and their Cause; for which they were soon after proclaimed Traitors. In this latter end of the year, Prince Rupert proves fortunate in the West, he takes Cirencester by Storm, but in vain summons Gloucester twice; yet Teuxbury is yeelded to Sir William Russel for the King. A considerable force was raised by the Marquess of Worcester, and his Son the Lord Herbert among his Tenants in Wales. These marching forward, rout and disperse Collonel Burrow's Regiment, who had made a slight Garrison at Cosford in the Forrest of Dean for the Parliament; kill Lievtenant Collonel Winter, and many others, and take fifty prisoners: thence they marched forward to Hingham House, within two miles of Gloucester; which City Sir Jerome Brett their Major General demands, but is refused with scorn; being told, that that Town would not now yeeld to a Welch Army, which had twice refused surrendry upon Prince Rupert's Summons: but soon after they themselves were by Lievtenant Collonel Massey, Deputy Governour of Gloucester, and Sir William Waller, one of the Parliaments Generals, surprisid in Hingham House, and forced to yeeld on very low conditions, viz. themselves prisoners, and the Officers to receive quarter according to their qualities. The end of this year 1642. was the beginning of the Synods sitting; for now their Session commenced to reform as they pretended, but indeed to set up a new Form of Presbyterian Church-Government: They were compacted of such as were then vulgarly called Silenced, or Plundered Ministers; and after a great deal of stir, compiled a Directory (as they called it) for Divine Worship, published and authorized by Parliament, though never as I could hear of made use of (the Independents, a Faction sprung out of theirs, then newly putting out their heads:) Yet for that service, they received all the time of their sitting four shillings a man per diem, and were besides most of them gratified with Benefices, Lectures in and about London, or Headships in the Universities.

CHAP. XLV.

The Lord Brook and Earl of Northampton Deaths Lichfield Close re-taken by
Prince Rupert. Essex takes Redding.

THIS year began with the Treaty aforementioned betwixt the King & Parliament at Oxford, which as I said before proved to no purpose, the propositions seeming too high on both sides; so on the fifteenth of April the Parliament recalled their Commissioners, and their General Essex immediately after advanced with his Army towards Redding, whilst in the mean time the Lord Brook in the beginning of March, set forth with a considerable Force for the Parliament (having a convoy of some Ordnance as far as St. Albans) directing his course for Northampton, which he plunders of some Arms & Ammunition: from thence he went to Warwick, and forward at Stratford upon Avon, forced Lievtenant Collonel Wingstaffe, Collonel Crocker, and Captain Trist a Dutchman, with some

Compa-

Companies for the King, to a Retreat, himself possessing the Town, which for fear of some stratagem he soon deserted and returned again to *Warwick*, and thence soon after marched into *Straffordshire*, and by his power and reputation endeavoured to dissolve the association of the Gentry there, and reduce that County for the Parliament: to which effect he advances towards *Lichfield*, and enters the unarmed and undefensible Town without resistance; but was put to besiege the Close (or Cathedral Yard) a place more tenable and defended by some Forces under the Earl of *Chesterfield*. This place, as soon as he had possessed the Town, he fell on upon, hoping easily to carry it; but whilst his Souldiers were fighting, himself being got up into a Window to view the Action, was by a single shot from the Close taken just in the Ball of the Eye; of which he immediately sunk down and dyed. The Souldiers notwithstanding the losse of their Leader, though at first they retired a little yet falling on again, carried the place, and in it took the Earl of *Chesterfield*, and some others of Note with all his Souldiers; but long they held it not, for soon after some of the Kings Forces beleaguering the place, *sir John Gell*, and *Sir William Breyton* for the Parliament had raised a Body of about three thousand Horse and Foot, with which they were coming to relieve the besieged; whereupon the besiegers drew out eight hundred Horse, and three hundred Dragoons, with which they unexpectedly fell upon the Parliaments Forces, whose Horse not able to endure the first Charge, immediately fled & left the Foot naked, & they thus deserted, shitted for themselves, leaving an absolute Victory to the Kings party, though it cost them dear enough; for though but few men were slain, yet one of these few was the faithfull and gallant Earl of *Northampton* who valiantly charging in the Head of his Troop was so engaged, that his Horse being shot under him, he unfortunately fell. This Victory gained, they returned to the Siege of *Lichfield Close*, where Prince *Rupert* commanded in chief, who found strong resistance; for notwithstanding he had sprung a Mine, made a reasonable Breach, assaulted it, and at the same time scalled the Walls in several other places, yet he was stoutly repulled; till at last he being sent for to Court, he resolved to give them a farewell, which was performed with so much courage, that they within yielded. Lieutenant Colonel *Russel*, who commanded there in chief, to march away with fourscore of Horsemen and Armes, and as many Musquetiers, with Colours flying, Carts for their Baggage, and a free pass as far as *Coventry* (which from the first beginning of the War had been a Garrison for the Parliament) and all prisoners taken on either side, since the Lord *Brooks* coming into the Countrey to be released. But to return to the Parliaments Generals, *Essex*, who advanced with his Army from *London*, attacks *Redding*, on the seventeenth day of *April* he sat down before it, and the next day makes an attempt upon it, but was valiantly repulled both this time, and also a second time, (when he gained the out-works) by the worthy valour of *sir Arthur Ashton* the Governour, who had been a Souldier in *Germany* from his youth: upon these repulles of the Enemy, the King sent *Sir Arthur* thanks, with a supply of seven hundred Musquetiers and good store of Ammunition; but all could not avail to the holding out of the Town against so great an Army, continually supplied from that inexhaustible Magazine of *London* with fresh Men, Provisions and Ammunition, and the King not in a capacity to adventure its relief; yet the dishonour of yielding it up fell not on *Sir Arthur Ashton*, who in the third attempt which the Enemy made upon the Town, got a dangerous bruise upon the head by the fall of some Brick-bats beat down by the Enemies Cannon: so the Government of the Town was devolved

1643. devolved upon Collonel *Fielding*, and by him on the first of *May* surrendered up to *Essex* upon honourable terms, viz. All the Forces to march out in Warlike manner, with fifty Carts for carriage, free passage to *Oxford*, the Town to be saved from plunder, and that whosoever would, might have Liberty to live it within six weeks after: yet this surrender put those in *Oxford* into so great a fright, that nothing would periwade them but that *Fielding* had treacherously delivered up the Town. Whereupon to satisfie the murmurs of the people, he was tried at a Council of War, and condemned to dye, but by the Kings mercy reprieved; and indeed his condemnation was afterwards looked upon onely as a pageant to entertain the present fear of the Kings party at *Oxford*, who doubted lest *Essex* being now possessed of *Redding*, should immediately advance towards *Oxford*, which he had found at that time wholly unfortified on the North side, and the King destitute of all manner of Ammunition necessary for its defence; but their fears were soon over, for *Essex* having engarrisoned *Redding* returned towards *London*: The reason of which Retreat, and why he did not then pursue his good fortunes, hath been debated by many, but by the wisest judged to be the desire he had (after the Battel of *Edgehill*) that neither side should get the better of the other by an absolute conquest; but that the scales might be kept even, that so both parties might be the more willing to come to a composition of those bloody differences.

CHAP. XLVI.

Cheapside Crosse pulled down. The King and Queen meet. The solemn League and Covenant. Yeomans and Burchier Hanged at Brillot, and Tomkins and Challoner at London.

BUt now the zeal of the Roundhead Party begins to appear in its height, no Monument of pretended superstition must stand. *Cheapside Crosse* (as the conclusion of their Reformation) which for a long time had stood the Glory and Beauty of the City of *London*, must down as a thing abominably idolatrous; but there was certainly somewhat more in it then the Idolatry of it, the Gold and Lead about it would yeeld Money toward the advancement of the Cause; which the Parliament now prosecute in so high terms, that they vote the Queen her self a Traitor; whereupon sundry Articles are drawup against her: Some of the chief of which were, That she had pawned the Crown Jewels in *Holland*. That She had raised the Rebellion in *Ireland*; That She had endeavoured to raise a Party in *Scotland* against the Parliaments; That shee had marched in the head of a Popish Army in *England*; so they termed that raised and maintained by the Earl of *Newcastle* in the North, with which the Queen at her landing at *Burlington Bay* had joyned, and a considerable Party of which She had taken for her convoy to the King; with which the first advanced toward *Newark*, and thence forward by *Werton* and *Asby*, towards *Edgehill*, where the King then was, notwithstanding the Enemy lay at *Leicester* and *Derby*, to intercept Her in her passage. Before her departure from *Newark*, she out of care for the safety of *Lincolnshire* and *Nottinghamshire*, had left two thousand Foot, with Arms for five hundred more, and twenty Troops of Horse under the Command of Sir *Charles Cavendish*, Brother to the Earl of *Newcastle*; She her self marching with three thousand Foot, thirty Companies of Horse and Dragoons; six pieces

Queen Voted a Traitor

of Great Britain and Ireland.

87

1643.

of Cannon, and two Morter-pieces, and one hundred and fifty Waggon, Mr. *fermin* (now Earl of *St. Albans*) commanding in chief as Collonel of her Guard: Thus conveyed, she advanced towards the King, whom she met soon after at *Edgehill* (the first time they had seen one the other since her first going into *Holland*.) and with Him joyned her Forces.

The Parliament had a good while been tampering with the *Scots* for their assistance: And about *May* this year *Sir William Armine* is sent to *Edinburgh* from the Parliament, to hasten an Army of *Scots* into *England*, to which end those *English* Presbyters, who shew how much they would comply with them, and how closely follow their steps, taking example from them in their first Insurrections, enter into a *Solemn League*, by Vow, Oath, and Covenant, which they not only take themselves, but soon after order all the people of *England* whatsoever to swear to, which many refusing, were committed to prison, and some lequestred, amongst which were *Doctor Featly*, who for denying to swear to it, and making exceptions against some passages in it, was committed to prison in *Peterborough* house in *Aldersgate* street: His objections against it were, first against these words [*We wil endeavour the true Reformed Protestant Religion of the Church of Scotland, in Doctrine, Discipline and Government according to the Word of God.*] Which words (said he) imply that the Worship, Discipline, and Government of the Church of *Scotland* was according to the Word of God, which was more than he durst subscribe to, much lesse confirm by a *Solemn Oath*. For first, he was not persuaded that any plat form of Government in each particular circumstance, was *Jure Divino*. Secondly, Admitting that some were, yet he extremely doubted whether the *Scots* Presbytery were that. And thirdly, Although somewhat might seem to be urged out of Scripture for the *Scots* Government, with some shew of probability, yet far from such evidence as might convince a mans conscience to swear it agreeable to Gods Word.

The Doctors second Objection was against that passage [*I shal endeavour the extirpation of Prelacy in the Church of England &c.*] To this (sayes he) I dare not swear: First, because I believe that Episcopacy is an Apostolical institution. Secondly, That the Church never so flourished as within five hundred years after Christ, when it was governed by Bishops. Thirdly that our *English* Episcopacy, being justified by the prime Divines of the Reformed Churches beyond the Seas, hee could not dissent from it. Fourthly, that our *English* Bishops now, and ever since the Reformation, have disclaimed all Papal dependency. Fifthly, In regard that the four general Councils, confirmed by act of Parliament (*1 Eliz.*) assert Episcopacy. And sixthly, (which all men ought to consider) the Ministers of the Church of *England*, ordained according to a form (confirmed by Act of Parliament) at their Ordination take an Oath, That they will Reverently obey their Ordinary and other chief Ministers of the Church, and them to whom the Government and charge is committed over them. This Oath he and all the Clergy men had taken, and therefore if they swore to extirpate Episcopacy, they must needs swear to forswear themselves. His last exception was against that passage, *I wil defend the Rights and Priviledges of Parliament, and defend his Majesties Person and Authority in defence of the True Religion and Liberties of the Kingdom*] Here, sayes the Doctor, the Members are put before the Head, the Parliaments Priviledges, before the Kings Prerogative, and the restraint of defending the King, onely in such and such cases, seemed to imply something which he feared might be drawn to an ill Consequence. For these

The Solemn League and Covenant.

1643.

these Exceptions, and His refusal to take the Covenant; the intent of which he urged was to bring in the *Scots*, and to continue his unhappy War, he was convened before the Committee for Malignancy, where Mr. *White* a Counsellour at Law sat as Chair-man; who knowing how unable he was to confute the Doctor by Argument, abruptly told him, That if he would not bee of another minde, he must suffer for it. To which positive sentence the Doctor modestly replied, That he must give him an answer out of St. *Chrysostome* upon the like censure, *Nec mihi ignominiosum est Pati quod Passus est Christus, nec tibi est gloriosum sacre quod fecit Judas*: and so he was carried away to prison, where he continued till his death, dying a Martyr for the Church Government; his Livings given away to others, and his Books bestowed upon Mr. *White* of *Dorchester*, the others Kingsman. But let us a little leave the Covenant till it produce its effects, viz. the bringing in of the *Scots* Army, and return to some particular passages of the War. The City of *Bristol* had from the beginning of these Troubles been under the Parliament, and was now in their hands, commanded by Colonel *Nathaniel Fiennes*, second Sonne to the Lord *Say and Seal*: who about the middle of May discovered a plot of some of the Inhabitants to deliver the Town to the King. *Robert Yeomans* the late Sheriff, and *George Bourchier*, were upon examination found to have been the chief Actors in the Design, which was to have surprized the Centinels by night, posselt the Main Guard, kill the Mayor, and others Parliament-afflicted in the Town, and so open the Gates to a party of the Kings Forces, who were to lie for that purpose within two miles of it; but it being discovered before it took effect, the two aforementioned, with *William Yeomans* and *Edward Dacres*, were condemned to be hanged, and those two executed, notwithstanding the earnest endeavours of the Lord *Rutben* General of His Majesties Forces (then lately created Earl of *Forth*) who sent word to Colonel *Fiennes*, threatening that in case those men suffered for their Loyalty to his Majesty, then he would speedily put Master *George*, Master *Stevens*, Captain *Huntley*, and others taken in Rebellion at *Cirencester*, into the same condition, &c. But to this he received no other answer from *Fiennes* and the Council of War at *Bristol*, than, That if he should make no distinction between Souldiers of Arms and secret Spies and conspirators, they would not only proceed against them, but others; and if by any unhumane and unsouldier-like sentence he should execute those persons he named, then Sir *Walter Pye*, Sir *William Crofts*, Colonel *Conesby*, and others whom they had there in custody, should expect no favour or mercy. And according to this Resolution, notwithstanding the Kings Letter to the Mayor and Citizens in their behalf, *Yeomans* and *Bourchier* were on the thirtieth of May hanged. To second the discovery of that Plot at *Bristol*, another of the same nature was on the last of May found out at *London*. The chief of the conspirators were Master *Edward Waller* a Member of the House of Commons, Master *Tomkins* his Brother-in-law, sometime Clerk of the Council to the Queen, Master *Challoner*, Master *White*, Master *Hassell*, and Master *Blinkethorne*; their Design, as the Narrative Declaration of the Parliament set it forth, was, to have seized on the Kings children, some Members of Parliament, the Lord Mayor of *London*, the Committee of Militia, the City Forts and Butt-works, Tower of *London*, and all the Magazines, and so to have let in the Kings Forces, &c. And to strengthen them, a Commission of Array had been privately conveyed to *London* by the Lady *Aubigne* (Widow to that Lord *Aubigne* who received his deaths

wound

wound at *Edgehill*) directed to *Sir Nicholas Cripe*, *Sir George Stroud*, *Sir Thomas Gardiner* Recorder of *London*, *Sir George Binion*, and many others; but their intents being betrayed, those six aforementioned were all tried for their lives at *Guild-Hall*, and condemned; but none but *Master Tomkins* and *Master Challoner* suffered, who were hanged before their own Doors, the one in *Holborn*, and the other in *Cornhill*. A great summe of Money, and *Master Pym* (who soon after died himself) his promise upon his ingenious Confession, saving *Master Waller's* the principal Conspirators life.

1643.

And Tomkins and Challoner at London.

CHAP. XLVII.

A new Great Seal framed. The Regalia at Westminster seized. Tame Fight. The Revolt of the Horhams.

THE great want which the Parliament had of the Great Seal of England then at *Oxford*, to confirm their Acts and Ordinances, had been the occasion of long and serious debate, they at length determining it necessary to make a new one; and to that effect at a conference with the Lords, they declared the prejudice which in their judgements accrued to the Parliament and whole Kingdom by the absence of the Great Seal; and therefore they desired their speedy concurrence in Votes for the making of a new one: Whereupon it was put to the Vote in the House of Lords, and carried in the Negative; they returning answer, That they had hitherto dispatched all business since the absence of the Seal by virtue of Ordinances of Parliament, and that they conceived the same course might still be kept in what matters soever were necessary to be expedit for the good of the Kingdom without a Seal. However they, as it were, submissively concluded, That if the House of Commons would inform them in any particular cases, wherein the Kingdoms prejudice by absence of the Great Seal could not be remedied by virtue of an Ordinance, they would take it into further consideration, to induce compliance accordingly; and soon after comply they did, and these Votes were passed, That it was necessary that the Great Seal of England should attend the Houses. That there had been a failure of it at this Parliament, to the great prejudice of the King, Parliament, and Kingdom. That the Houses ought to provide a remedy for the future, which they conclude to be the framing of a new one: But first they Order, That if the Lord Keeper Littleton upon summons did not return with the great Seal within fourteen days, he should lose his place, and whatever should be sealed therewith by him after that time, should be null and vacate in Law. Yet when the Ordinance for the new Seal came to be debated, it was alleged by some sober men in the House of Commons, that the counterfeiting of the Great Seal of England was Treason by the Statute of the 25. of *Edward* the third. To which *Serjeant Wilde*, who had the ordering of the Ordinance, very learnedly replied, That they intended not to counterfeit the old Great Seal, but to make a new one: Upon which the business went forward, and a new Seal framed without any alteration from the old one, save only that the Princes Arms, or Feathers, were set in a vacant place, to shew the difference between them, that so their followers might distinguish from such commands as came from them in his Majesties Name, and such as came immediately from his Majesty. This action of the Parliaments was looked upon very strangely, and made it appear to the world that they now drove at higher designs than what they at first pretended,

The Civill Warres

pretended, viz. The Honour of the King, and Safety of the Kingdom; which might better be guessed by the words of some Members of the Commons, and particularly by Master *Henry Martin*, who going with very little Authority into *Westminster-Abbey* (there desacing the Church-Ornaments and Utensils) to seize upon the *Regalia*, viz. the Crown, Scepter, Ball, &c. uled at the Coronation of the Kings, (though he was content at this time, at the desire of the Earl of *Holland*, and some Commons, to do no more than seal them up till the Lords concurrence were procured) when some of his assistants cried out, *Let us take the Crown and set it upon the Duke of Gloucesters head, whom we have here with us.* Tush (sayes he) you are fools to talk of Crowns and Scepters, of which there will be so little use hereafter. And unhappily prophetick was that Reply which one made, who when the Lords agreed, *That many superstitious things amongst the Regalia were fit to be removed as no longer usefull*, answered, *That he doubted the King himself would ere long be some superstitious Monument of decayed Divinity, and so thought fit to be removed: the King not making the Crown, but the Crown the King, which they having now in their hands, might bestow the Kingdom on whom they pleased.* But let us now again look abroad into the Field. The Earl of *Essex* having had advice of the continued series of the Lord *Hoptons* successes for the King in the West, being himself desired by the City of *London* to move with his Army towards *Oxford*, gives order to Sir *William Waller* to advance towards *Cornwall*, and joyn with those *Devonshire* Forces which stood for the Parliament, whilst himself marches towards *Tame*, where lying hovering, he gives order to the *Buckingham* Forces to Alarm the Kings Army, which were drawn out under Prince *Rupert*. Some Skirmish happened on Saturday the 17 of June 3, and the next morning the Prince, provoking a body of Horse somewhat too far from the rest, falls upon them, routs them, kills many, and takes some prisoners, amongst which Captain *Sheffield* Son to the Earl of *Moulgrave* was the chief: Mr. *John Hambden* the principal of the five Members, a great Incendiary of these troubles, and the first opposer of Ship-money, died a week after of his wounds received in this place (*Chalgrave* Field) where he first gathered Force together against the King, Major *Gunter* was likewise slain upon the place 3 but Prince *Ruperts* loss was very inconsiderable.

Tame fight
Mr. Hambden's Death.

About this time Sir *John Hotham* and his Son, who had done so much for the Parliament (he being the first man who had opposed the King for their sakes) were by Order from them secured and sent up to *London*; Sir *John* being knocked down by his own Souldiers at the same Gate where he denied the King entrance. His Son Captain *Hotham* had before been secured and imprisoned at *Nottingham*, from whence he escaped to *Lincoln*, and thence to *Hull*; just at the point of time to be sent up to the Parliament with his Father 3, and to beheaded with him in *January* following, when, with their execution, we shall discourse of their crimes.

Beverly gate

CHAP. XLVIII.

The Fights at Lands-Downe & Round-away-Downe Exceter delivered to Prince Maurice, and Bristol to Prince Rupert.

SIR *William Waller* according to his order from General *Essex* had advanced towards the West, and proved successful in several attempts there; till on the fifth of July having advanced with his whole Body to the end of *Lands-Downe*, in a place of great advantage,

of Great Britain and Ireland.

91
1643.

vantage, he had a notable check given to his fortunes by Sir Beville Greenvile and Sir Nicholas Scoring, two Cornish Gentlemen. For Waller sending out a good Party of Horse and Foot towards the Cavaliers, (having likewise lined the hedges towards their Champain) a strong Party of Horse under Protection of his Musketeiers advanced, and with the help of the Foot from the hedges, forced Greenviles Horse (who were drawn up within Musket shor) to retire into the Rear of his Foot, whereupon the Cornish Infantry advanced, bravely beat them out of the Ditches, and the Horse speedily rallying, recovered again their ground. Whereupon a strong Party of Wallers Horse drew into a large Field upon the Cornish left Wing, who were immediatly charged by their Cavalry, and totally routed; the Foot in the mean time driving Wallers from Hedge to hedge, thorow woods, and down steep hills, back to their main Body, and at last forced them to the brow of a Hill which they had Barricadoed, and whereupon they had planted their Canon. The ground they had was extremely adventagious, a high hill walled behind and on both sides, with Works on the Front, the passage up very narrow and dangerous, on one side Wood, the other side hedges, and both lined with Musketeiers. Thus fortified stood Waller, in an entire Body, his Foot within the Flanker of Stone-laid walls, through which, places were made for the Horse to sally forth, who were drawn up in the Rear of his Foot; and before the Cornish Forces could draw up into order, charged upon them, whilst Waller played for thick with his Cannon and Muskets, that he forced them from the brow of the hill, which the second and third they courageously assaulted, and the fourth time with a great deal of difficulty regained; Sir Beville Greenvile himself, to the eternal praise of his valour from the mouths of his very Enemies, maintaining it with a Stand of Pikes (where he was unfortunately slain in the Front of his men, his Major and Captain-Lieutenant lying dead at his Feet) whilst his Horse rallied and drew up the Cannon; And though it were dark, they continued firing on all sides til midnight, when Wallers men sticking lighted matches in the hedges, which received the Cornish Volleys on all sides; till they finding by their returning of no answers, that they were fled, possessed the Field, wherein they found five hundred Muskets a whole Stand of Pikes, and fourteen Barrels of Powder, but the Enemy had got off their Cannon. This fight continued from two of clock in the afternoon till one at night; on the Kings Party, besides Sir Beville Greenvile, his Major and Lieutenant, and eight Officers, were some of Note, slain. Mr Leak Son to the Lord Duincourt, was found Dead next morning with the Enemies colours about his Arm, Mr Barker, Lieutenant Colonel Wall, Sergeant Major Lower, Captain James, Captain Chalwal, and Mr Boslard, were likewise slain; but Wallers Infantry were most cut off or dispersed, many Officers lost, and the Battel clearly gained by the Cavaliers, who possessed the Field, Arms and Colours, and all other tokens of Victory. Yet this was but the Prologue to Wallers total overthrow in the West; for soon after having marched to the Devises after Sir Ralph Hopton, he was overtaken upon Round-way-Down by a Party of Horse sent from the King into the West under the command of the Lord Wilmor, who were encountered by some of his, to hinder their joyning with the rest of the Army on the other side in the Devises (a Town of Cornwall:) some Regiments of Horse began the Fight with equal successe, till Wallers Horse were forced to retreat to their strength, which lay on a hill where himself was, & had drawn out his Foot, commanded the onset, but his Horse being home-charged, resolving not to venture the hazard, ran away directly, and left the

The Civill Warres

1643, Foot to the Enemies mercy; many of whom were slain, but more taken prisoners, together with four Basse Guns, all the Ammunition and Baggage, twenty-nine Colours of Foot, and nine Cornets: *Waller* himself escaped with a smal Party into *Bristol*, which Town was not long after surrendered to Prince *Rupert* by Col. *Jones*: This Victory was gained against great Odds; for *Waller* was stronger both in Horse and Foot: Yet before this, the Parliament had caressed him, by Voting to make and confirm upon him the Lessee of the Office of Botelier of *England*, a place of great Profit; which it was supposed, they did the rather, because they were entred into some suspicion of their Generalissimo *Essex*, who whilst *Waller* was fighting in the West, had solicited the Parliame^{nt} by some Letters, inclining to a Petition for Peace; Which though it pleased some of the Lords, yet being read to the Commons, Mr. *Vissal* a Citizen in Parliament for *London*, stood up and desired that their General might be pressed to speak more plainly, and if after the expence of two Millions of Treasure, he had a mind to lay down Arms, hee should let them know it, and as good a Souldier as he, should take them up; thereby meaning Sr. *William Waller*, who was extreemly in favour with the City till this last defeat. These successes in the West gave the King the possession of *Exeter* and *Bristol*: One soon after surrendered to Prince *Maurice*, and the other to Prince *Rupert*. At *Oxford* the twelv of *August*, the Earl of *Lindsay*, (Son to him slain at *Edgehil*) Great Chamberlain of *England*, was welcomed from his Imprisonment, and soon after him, viz. on the 25th of *August*, came to *Oxford*, the Earls of *Bedford* and *Holland*, who soon after submitted themselves to the King, but not finding the reception which they expected, though the last put himself in Arms for his Majesty, they returned again to the Parliament: The Earl of *Holland* afterwards complaining in a Letter to the Lord *Fermain*, of the small respect which he had from the King; saying, that his Majesty did not shew so much countenance to him, as he had seen him do at the same time to some Common souldiers, which had fled to him from the Enemy.

Earl Lind-
say returns
from Impri-
sonment.

Bedford &
Holland
come to Ox-
ford.

CHAP. XLIX.

The Siege of Gloucester.

Waller's Defeat had absolutely possessed the King of most Garrisons in the West, *Gloucester* now was the only considerable place that held out; and by the taking in of this Town, it was judged that all *Wales* would be preserved in the Kings Obedience, intirely united to *England*, and a free way and passage laid open to assist each other in case of Distresse. The King therefore having lain some dayes hovering about it, on the tenth of *August* descends the hills, and summons them by two Herald to a Surrendry; telling them, "That out of his tender compassion to his City of *Gloucester*, and that it might not receive prejudice by his Army, which he could not prevent, "if he were compelled to assault it; He was personally come before it, to require the "same; and was graciously pleased to let all the Inhabitants, Souldiers, and others, to "know, that if they yeelded, all should have pardon without exception, and that in the "Word of a King, and without prejudice to any Person or their Estates, and a Governour should be appointed, and such a moderate Garrison for ease and security of the "City and County: But if they should neglect this Offer of Grace, they must expect "the issue. To this Message (he tels them) he expected a clear and positive Answer with

“ within two houres, and granted liberty for any Persons safely to repair and return from
 town. Having dispatched the Heralds with this Message, he draws down his Forces be-
 fore the Town, attended by Prince *Charles*, the Duke of *York*, Prince *Rupert*, and Gene-
 ral *Ruthven*, with six thousand Horse and Foot on one side, and two thousand Horse on
 the other: Soon after Major *Pudsey* and another bring this Answer from the City, “we
 “ the Inhabitants, Magistrates, Officers and Souldiers within this Garrison of *Glocester*
 “ unto his Majesties Gracious Message, return this Humble Answer, That we do keepe
 “ this City according to our Oath and Allegiance, to and for the use of his Majesty and
 “ his Royal Posterity, and accordingly conceive our selves wholly bound to obey the
 “ commands of his Majesty, signified by both Houses of Parliament, and are resolved by
 “ Gods help the City accordingly. This Positive answer extreemly amazed the King, who
 much wondered at their confidence, not knowing how they could long defend themselves
 (their City being but ill fortified or manned, their hopes of Relief but small, *Waller* not
 at all in being, and *Essex* not in a capacity to come to their assistance) and seeing fair
 means would not prevail, resolved to attempt Force: He therefore presently advances
 forward into the East Suburbs, which the City instantly set on fire, for their better secu-
 rity within. The next day they intrinched on the South and East sides, enduring some
 Sallies from the Town with losse on both sides; the Ordinance likewise killing some few:
 Soon after, by the addition of the *Welch* and *Worcester* Forces, the City was beligured
 on all sides, and a close siege laid to it; several Sallies were made by the Defendants,
 with almost equal losse on both sides, and some small attempts mad by the Assaulters, but
 to so small effects: The Mines were by the monstrous care of Lieutenant Col. *Massey*,
 Deputy Governour under the Earl of *Stamford*, either conterned, or by reason of the
 water-Springs, hindred to proceed, and those Breaches which were made by the fury of
 the Kings Cannon, soon stopped up with Wool-Packs and Cannon Baskets: The King
 had several times an intention by a general Storm, to have expedited the taking of the
 Town, but out of a Prudent care he had to preserve his Infantry, and a confidence that
 there was no Power in being to raise the Siege, he delayed it; whereby (at last, all his
 Mines, Gallery, Engines, and Batteries, proving ineffectual) hee not only lost the op-
 portunity of taking the Town, by giving *Essex* time to raise an Army able to relieve it,
 but likewise by his long and tedious stay at the Siege of this Paltry city, he lost that oc-
 casion (which he should have taken by the Fore-lock) of coming up to *London* directly, &
 making an absolute end of the War, by scattering the Faction in the House of Commons,
 which he might then in all probability easily have done, whilst the Parliament had no
 Army in the Field; the Kings Affairs every where being in a prosperous condition, the
 Parliaments Councils full of discontent, disorder and irrelolution, and even ready to give
 themselves up to desperation; in so much that the Earl of *Holland* afterwards at *Oxford*,
 assured Sir *John Heydon*, Lieutenant of the Ordnance, that the prevailing Members of
 both Houses were ready to trusse up Bag and Baggage; but that they hoped (as some of
 them told him) that an especiall Confident of theirs, and one of great nearnesse to the
 King, would prevail with him at last to lay Siege to *Glocester*, and not leave that Town
 at his back to infect the Countrey; and this Advice it seems he unfortunately took: whilst
 the Pulpit-men in *London*, preached up *Essex* an Army for the relief of *Glocester*, which
 did its business: For the King having advice of that Armies Advance, First sends
 Prince *Rupert*, with a Party of Horse to retard the Enemies March, whilst the King
 might

The Civill Warres

might rile and be gone; which he did on the fifth of *September*, without any impeachment from the Town (though *Essex* from the Brow of the Hills, seven Miles off the City, fired a Warning Piece, to give notice of his approach) for very glad they were of his departure; being almost reduced to a necessity of yielding, and had not *Essex* come as he did, could not possibly have held out that storm wherewith the King intended to assault them, they having no more than three Barrels of Powder left, and their Provisions almost spent; so that had the relief been delayed but some few daies longer, their own wants or the others Force must have necessitated them to a Rendition: But this Siege was of all attempts hitherto the most unfortunate to the King, he not only missing the taking of this City, but likewise by besieging it, lost as I said before, the opportunity of effecting his G and Design. (the making an end of the War) by not marching directly up towards London.

Sir Nicholas Crispe
kills Sir James Enyon.

During this Siege, there happened in the Kings Army an accident not unfit mention: Sir *Nicholas Crispe*, One of the Farmers of the Customs, but now Col. of a Regiment of Horse for his Majesty, and who had the charge of convoying the Train of Artillery sent from Oxford to the Siege of *Glocester*, which he brought in safety to the Camp, had his Quarters taken up at a Knights houle at *Rousledge* near *Glocester*, where coming, he found that *Sr. James Enyon* and some other Gentlemen of no command in the Army, had taken up so much of the Houle as did very much incommode *Sr. Nicholas*; which yet he passed by with all civility: At length, some of the Gentlemen had their Horses missing out of the Pastures, whereupon they charged *Sr. Nicholas* his Regiment with them, or indeed roughly demanded them of *Sr. Nicholas* himself, who civilly promised his best endeavours to find them out, but refused to draw up his Regiment, only to satisfy *Sr. James Enyon*, who nothing concerned himself, very stily urged it for his friends Whereupon *Sr. James* angerly departs, and immediately lends *Sr. Nicholas Crispe* a challenge, to meet him with his Sword in a Field adjacent to his Quarters, with this Protestation, that if he refused, he would Pistol him against the Wall: *Sr. Nicholas* upon this meets him, accompanied only with one Gentleman, and finds *Sr. James* and him that brought the challenges at the place appointed; he first endeavours to perswade him to reason, but finding him resolved to take no other satisfaction than the Sword, they fight, and *Sr. James* is wounded under the Rim of the Belly, of which, within two dayes after, though first Christian-like reconciled to *Sr. Nicholas Crispe*, he died. Hereupon a Legal Trial was offered to any Complainant, that would prosecute, and none coming in, on the second of *October* the Council of War sate thereupon, and gave sentence thus: "In the cause depending against *Sr. Nicholas Crispe* Knight, concerning the death of " *Sir James Enyon* Knight, slain by him in a Duel in *September* last, the Court being " informed that an Affixer was duely set upon the Court-Houle-Door, according to their " Order of the 28th. of *September* last, and the Affixer afterwards taken down, and " brought into the Court, and Proclamation being made, and no man appearing against " him; yet upon Examination of all the matter and difference between them, and that " the Friends of the slain taking notice thereof: The Court proceed to Sentence.

" That although the Court doth condemn all manner of Duels, and utter y disallow " them, yet in this particular case of *Sir Nicholas Crispe*, in consideration of the great " Injury he received in his own Quarter, and how much he was provoked and challeng- " ed, the Court have thought fit to acquit him of any punishment in this Court; and doth

of Great Britain and Ireland.

95
1643.

“doth leave and recommend him to his Majesties mercy, for his gracious Pardon. The
“second of *October*, 1643.

Signed. (Forth) Lord Lieutenant General and President *Dorset, Bristol, Northampton, Andover, Dunsmore, Jacob Astley, Arthur Ashton, William Brumchard, and John Byron.*

By whom the whole matter was reported to the King, and Sir *Nicholas* brought to kisse his hand; from whom he received a gracious Pardon under the Great Seal of *England*, and was afterwards intrusted in high Commands for His Majesty, both by Land & Sea.

C H A P L.

A short account of the Affairs in Ireland, Cessation of Arms there; some English Forces come over from thence.

Ireland had all the while that these Distractions reigned in *England* lain likewise weltring in her blood, the Parliament notwithstanding many large and fair pretences of theirs, and the many earnest Messages of the Kings (before the beginning of the unhappy Wars in *England*) desiring their counsel and assistance for the extinguishing of that flame before it had quite consumed that Kingdom; refusing to levie one man towards the suppression of that Rebellion, till such time as the King had disclaimed his power of pressing Souldiers for his defence by Act of Parliament: which done, they contracted with the *Scots*, their assured friends, to send an Army into the Northern parts of *Ireland* upon these following Articles: 1. That provision of Victuals should be presently sent to *Carrick-fergus* to be sold to the Scottish Souldiers according to their pay. 2. That the command of the Town and Castle of *Carrick-fergus* should be delivered to the *Scots*, to remain there, or enlarge their own Quarters into the Countrey. 3. That March, Powder, and Ball, be sent from hence; but that what Arms, Ammunition, or Artillery, should go from *Scotland* with their Forces, should be supplied out of *England*. 4. That a part of the Brotherly Assistance (thirty thousand pound) be advanced to them presently; which though in proportion came but to seven thousand five hundred pounds, yet that they might have ten thousand pound for their encouragement. 5. That their pay, which was condescended to commence from the eighth of *December*, 1641. might be advanced to the eighth of *February*, when they hoped to march. 6. That they might have a convenient number of Ships for convoy. And upon these Articles the *Scots* will be content to send over two thousand five hundred men into the North of *Ireland*: and the two Houses were as content to grant them, as they to ask; but the Kings consent being desired, he demurred somewhat upon the second Article, of delivering the Town and Castle of *Carrick-fergus* into the hands of the *Scots*, as too great a trust for Auxiliary Forces: but after some dispute the *Scots* replying, That they hoped that his Majesty being their Native, would not shew lesse trust in them than in the Neighbour-Nation, seeing his two Houses had consented. His Majesty, to take away all delays of dispute, out of His great care for distressed *Ireland*, condescended. The next care to be then taken, was, how to prelerve the South of that Kingdom: to which purpose a small Body of English Forces were raised and sent over; and for the better raising of Moneys for the maintaining that War against the Rebels, several Propositions were set on foot by the Parliament, and at length they Order, That two millions

The Civill Warres

1643. millions and a half of those acres to be confiscate of the Rebels Lands in the four Provinces, should be allotted to such as would disburse money for the managing of that War, viz.

For each Adventure of

Two hundred pounds, one thousand Acres in *Ulster*.

Three hundred pounds, one thousand Acres in *Connaught*.

Four hundred and fifty pounds, one thousand Acres in *Munster*.

Six hundred pounds, one thousand Acres in *Leinster*.

All English measure, Meadow arable and profitable Pasture (Bogs, Woods, and barren Mountains cast in over and above) in free and common Soccage of the King, at his Castle of *Dublin*.

Secondly, That out of those Acres a constant Rent to be preserved to the Crown in this proportion : Out of each Acre in *Ulster*, a penny. In *Connaught* three-half-pence. *Munster*, two-pence-farthing. And in *Leinster*, three pence.

Thirdly, that for erecting Manors, creating Corporations, and regulating of Plantations, Commissioners should be appointed by Parliament.

Fourthly, All Undertakers to subscribe before several days prefixt, in reference to the distance of abode from *London*.

Fifthly, Their Moneys to be paid into the Chamber of *London*, viz, a fourth part in ten dayes after subscribing, and the last payment at thrice three months.

Sixthly, The twentieth part of the total summe to be paid down at subscription ; and if any should fail of the residue of their first fourth part within ten dayes, he should forfeit the twentieth part of the total deposited, and so much more of his fourth payment to be added thereunto, as should make up the one moiety of the said first payment ; and if he should fail in any other of the three payments, then to forfeit the entire fourth part, and all his Subscription to accrue to the common benefit of the rest of the Undertakers.

These Propositions were confirmed by the King (as indeed he was willing to yeeld to any thing proposed for the relief of *Ireland* ;) and unimaginable it is what infinite summes were brought in, but how little employed in the pretended end of its levying, is hard to judge ; the Parliament finding, or taking occasion to employ the Money raised for the relief of that Kingdom, in maintaining a destructive War against the King in *England*, whereby that Army by them sent over (having at first performed excellent service against the Rebels) for want of relief and supply of Money, Munition, Arms, Provisions, Cloaths, and all other Necessaries (for lack of which they had often made their complaints to the King, who could not help them : and the Parliament instead of assisting them, seized upon those Ships which should have carried them relief, and endeavoured likewise to draw the Scottish Forces out of the North to assist them against the King in *England* ;) so that forced by such urgent necessity, they were put to intreat his Majesty, that since succour could not be sent them, they might come to a Cessation of Arms with the Rebels, before the Kingdom were utterly lost. Whereupon on the

Cessation in
Ireland.

21. July, 1643. Commission was sent to the Marquels of *Ormond* the Kings Lieutenant-General, to assent to a Cessation of Arms for a year ; which was concluded accordingly at *Singinston* the fifteenth of September, and confirmed on the nineteenth by Proclamation of the Lords Chief-Justices and Council at *Dublin*; and to justify the necessity of the Cessation, a Writing was framed by several persons of Honour, and others of the

of Great Britain and Ireland.

97

1643.

the Army, setting forth the misery of the Nation, and the Armies indigency; and concluding, that they conceived it necessary for his Majesties Honour and Service, that the Marquels of *Ormond* should assent to a Cessation of Arms for a full year, on the Articles and Conditions drawn up, and to be perfected by vertue of his Majesties Commission, for the preservation of that Kingdom of *Ireland*. This Writing was signed by the Earl of *Clanrickard*, *St. Albans*, the Lord *Inchequene*, *Roscomon*, *Dungarvan*, &c. The Cessation of Arms in *Ireland* being then thus concluded, his Majesty had given order to the Marquels of *Ormond*, His Lievtenant-General, to cause a part of the English Army there to be transported into *England* for his Majesties assistance against his Enemies, they first, both Officers and Souldiers, taking an Oath to maintain and defend the Protestant Religion, the King and his just Power, against the Forces under the Conduct of the Earl of *Essex*, and all other Forces against the King; which accordingly was done, and on the thirteenth of *November* four thousand Foot landed in *Wales*, Sir *Michael Ermeley* a valiant and experienced Low-Country Souldier, commanding them in chief, under whom Collonel *Monk* (now deservedly Duke of *Aubemarle*, &c.) had a Regiment. At their first landing they were saluted with a Message from the Parliaments Forces at *Wrexham*, telling them "That they apprehended and were assured their Voyage into *Ireland* was to fight against Popish Rebels, and for the Protestant Religion: "and imagining they were not fully informed of the cause to be engaged against the, but "if they were the same they were when they went over, they doubted not but to procure "satisfaction from the Parliament for their faithfull service there, with like preferment "here. To this the five Collonels come from *Ireland* returned Answer, "That they "were not engaged in the Service in *Ireland*, otherwise than by the Kings command. "That the Service they had done, none durst extenuate. And although they were verily sensible how unworthily they had been deserted by that pretended Parliament, yet "they were not returned thither without his Majesties special Commission and Authority. That if they had the like for the Arms they bore, they would Treat with them, "otherwise wear themselves like Souldiers and Loyal Subjects. Then for a Postscript "they adde, "That Officer of your Army which came into our Quarters without safe "conduct, we shall detain till his Majesties pleasure be further known. Immediately after they proceeded to action, and took in *Hamerden* Castle near *Chester*; and might afterwards have proved more serviceable to his Majesty, had they been kept together under their old and known Commanders, which Prince *Rupert*s overthwearing judgement in the Council of War permitted them not to be, but caused them to be divided one from another, distributing them in several Regiments of his Majesties Armies; whereby both Officers and Souldiers being discontented, were rendered much lesse serviceable. Before this drawing away of the English Army by the King, the Parliament in *England* had given Instructions to their Commissioners in *Scotland* to treat there concerning the maintenance and ordering of the Scottish Army in *Ireland*, and to settle some mutual course for to manage that War; and accordingly several Articles were agreed upon betwixt them. The chief were; That he who did or should command in chief over the Scottish Army by joynr consent of both Kingdoms, should also command the rest of the British Forces in *Ireland*. That the management of the War, and prosecution of the Ends contained in the Covenant, should be done by joint consent of the Committees of both Kingdoms, and afterwards agreed upon by Votes of both Houses. That the Earl

The Civill Warres

of *Leven*, Lord General of the Scottish Forces in *Ireland*, being by Votes of both Houses agreed to be Commander in chief over all the Forces, as well British as Scottish, should be desired to nominate a Commander in Chief under him, to reside with those Forces upon the place, and that a joynt Committee of both Kingdoms be appointed to reside there, for regulating the War, &c. This they did, the better to oppole the King likewise in that Kingdom.

CHAP. LI.

Essex surprizes Cirencester. Newbury first Fight. The Kings endeavours to streighten Gloucester.

THe King being marched off from *Gloucester*, the Earl of *Essex*, for their better strengthening there, left them three Culverin, six and forty Barrels of Powder; and letting the Garison in order, supply their Grainaries with the provisions of the plundered Countrey, departs. The *London Train-Bands*, who were preached up onely for this Service, being desirous to return home again, and advancing first to *Tewksbury*, where he had advice that the King in his march to *Gloucester* had left a strong Party with a store of provisions for their Army, a thing which he extreemly wanted; by a long March, he advanced with his Army thither: the Forlorn arrived about one of the clock at night, surprized and killed the Centinel sleeping, entered the Town, and got into the Market-place without opposition (being suppoled to be Prince *Maurice* his Forces, that night expected) whilest himself with his Horse surrounded the Town. In it were Collonel *Spencer's* and Sir *Nicholas Crispe's* Regiments of Horse, four hundred of whom they surprized even in their beds, took most of the Officers, six Cornets, and thirty Cart-loads of Provision; which proved a great stay to his Army then in extream distrels for want of Victuals. Having proved thus successfull in this encounter, he by short Marches passed from thence to *Cricklade*, so to *Swinden*, intending to passe thorow *Hungerford*. But passing over *Auburne Chase*, his Rear was assaulted by Prince *Rupert* with a brave party of the Kings Horse, and forced to flee in some disorder to their main Body of Foot; when facing again, they were the second time forced to Retreat with like disorder, and had drawn Prince *Rupert* so near their Foot, that to decline them, they were forced to fall off to the Right Hand, where two great Bodies of *Essex* his Horse came down a Hill, and in excellent Order received the Cavaliers Charges, and afterwards came to Swords point with them; where the Lord *Fermin*, Collonel of the Queens Regiment, received a sleight wound in the Arm, and the Lord *Digby* a shot on the head-piece. Then wheeling about, *Essex* his Horse engaged the Lord *Fermin* with part of his Regiment almost to a los; but they valiantly forced their way thorow some Bodies of Foot, and got the better of the Encounter, though with the los of Collonel *Constable*, and the gallant Marques *De la Vieu Ville*, who was first taken prisoner, and after basely slain in cold blood, and some other Officers; and so the night parted the Fray, and forced both Bodies to a Retreat. *Essex* from hence marched directly to *Hungerford*; and Prince *Rupert* lends to the King, then with his Infantry at *Wantage*, desiring him to advance with them to *Newbury*, there to stop the Enemy from further Marching towards *London*, the thing the King desired. *Essex* advances with all possible speed from *Hungerford* towards *Newbury*, with intention

Cessation in
Ireland.

of Great Britain and Ireland,

99

1643.

tion, if possible, to get there before the King; and though he had not his desire, for the Kings Forces had already possessed the Town of *Newbury*: yet he possessed himself of *Biggs Hill*, a place of great advantage; where the King the next day assaulted them, so that he was forced as it were to fight for a place to fight upon; and at length gain the Hill he did (though with much losse, the Enemy continually pelting his Forces from the advantageous ground) and maintained it with a great deal of gallantry till the end of the Fight; When *Essex* his Army yeelding the Victory to his Majesties, retreated; and though they marched safe off the place, yet their haste forced them to leave their heavy Carriages, some Barrels of Shot, &c. to the King; as likewise all their dead bodies upon the place. There were slain in this Battel on the Kings side, the thrice Valiant Earl of *Canarvan*, whose memory deserves celebration, the Earl of *Sunderland*, Collonel *Morgan*, Lievtenant Collonel *Fielding*, and some other Gentlemen of quality; that learned but too Valiant Lord *Falkland* was likewise slain at the dispute of the Hill, somewhat too desperately adventuring his Person singly. The Parliament, though they lost many of their best Officers, yet had they none to lose of correspondent quality to those of the Kings side. the slaughter was supposed to be somewhat greater on the Parliaments side than the Kings, yet neither had much reason to boast; only the King, besides the keeping the field, pursued his flying Enemy with a good Party of Horse, under the Command of Collonel *Hurry*, who fell upon *Essex* his Rear; but they not caring to stand, ran directly quite thorow their own Foot, and a considerable slaughter was made of them as they clambered o're the hedges, till a good party of Horse getting into the Field, Collonel *Hurry* thinking he had done enough, thought fit to Retreat. Though the King was thus unfortunately raised from the Siege of *Glocester*, yet had he so placed his Garrisons, as might strengthen that Town; Sir *William Vavasor* was sent with a strong Party of Horse to engarrison at *Hereford*, with Commission to raise Forces, and to command in chief in that County and *Glocestershire*; *Sindley* castle was garrisoned by the Lord *Glandois* for the King, which stoppt *Glocester's* intercourse with *Warwick* the onely way of commerce with *London*; *Barkley* Castle was for the King maintained by a Scottish Captain. Sir *John Winter* was strongly settled in the *Forrest* of *Dean*, a Garrison was likewise put into *Beverston* Castle; and indeed Garrisons there were in every corner of the County, besides several parties of the Kings Army which lay abroad in the Fields about it: So that *Glocester* was almost as much distressed as if it had been besieged, they being enforced to Fight or Skirmish for what ever they got. In the mean time an additional supply of on thousand Foot, and one hundred Horse, under the command of Sir *William St. Leger* and Collonel *Min*, landing out of *Ireland*, were with eight piece of Ordnance ordered to advance to *Thornbury*, the more to distress that City of *Glocester*. In summe, this years successes had made the Kings Army most absolute Possessors of the North and West; for whereas a twelve moneth past hee had but one smal County in all the West, in *Yorkshire* no more than the City and *Pomfret* Castle; and except at *Reading*, *Wallingford*, *Bril* and *Abington*, not a Souldier quartered out of *Oxford*, not a Ship, nor Port except *Newcastle* and *Falmouth*; and, as the Parliament themselves published in Print, not ten thousand men in Arms: He had now five Armies in being, was possessed of all the Western Counties except *Plimouth*, *Lime*, and *Poole*: of all *Yorkshire*, *Hul* onely excepted; and in *Cheshire*, none but *Namptwich* stood out against him; but *Wales* wholly his, and if this year the Parliament got from him *Strasford*

The Civill Warres

1643.

for *l* and *W*arington, the King in lieu of those two, got from them *Saltash*, *Cirencester*, *Birmingham*, *Leige*, *Lichfield*, *Brandford*, *Hallifax*, *Wakefield*, *Dainton*, *Bristol*, *Bath*, *Dorchester*, *Weymouth*, *Bideford*, *Barnstable*, *Appleford*, *Tenby*, *Haverford-west* *Pembroke* and *Exeter*; true it is, there were besides these, some inconsiderable Garisons taken and retaken on both sides.

CHAP. LII.

The King Summons the Parliament to Oxford.

THe King having so successfully settled his Military Affaires this year, retired to His Winter-quarters at *Oxford*; whether he had by his Proclamation of the two and twentieth of *December* summoned the Members of both Houses to convene on the two and twentieth of *January* following: Where accordingly they met in the Great Hall at *Christ's Church*; whither the King coming to them, acquaints them, That the occasion of his calling them together, was, that they might be witnesses of his Actions, and privy to his Intentions; and that it might appear he had not the least thought disagreeing with the happinesse of this Kingdom: for if he had, he would not advise with such Counsellours as they. And so he dismissed them to their Seats, the Lords in the upper Schools, and the Commons in the Convocation Houle. These were such, whose Loyalty to their King and Country had made them desert the Parliament at *Westminster*, and come to his Majesty; whose Names therefore deserve to be Recorded.

They who sate in this Parliament, were:

Charles, Prince.
Duke of *Tork*.
Duke of *Cumberland*.
Edward Littleton Lord Keeper.
Fr. Cottington Treasurer.
Duke of *Richmond*.
Marquesse of *Hartford*.

Earls,

Lindsey.
Dorset.
Shrewsbury.
Bath.
Southampton.
Leicester.
Northampton.
Devonshire.
Carlisle.
Bristol.
Barkshire.
Cleveland.

Rivers.
Dover.
Peterborough.
Kingston.
Newport.
Portland.
Lord *Vilcent Conway*.
Lords.

Digby.
Mowbray and *Matravers*.
Wentworth.
Cromwel.
Rich; *Paget*.
Chandos.
Howard of *Charleton*.
Lovelace.
Savile.
Mohun.
Dunsmore.
Seymour.
Pitney.

Wilmot.
Leigh.
Haston.
Jermyn.
Carrington.

Knights and Gentlemen.

Sir John Fettiplace.
Sir Alexander Denton.
Sir John Packington.
Thomas Smith.
Francis Gamul.
John Harris.
Joseph Jane.
Richard Edgewcomb.
John Raleigh.
G: Fane.
Re Edgewcomb.
William Glanville.
Robert Hoburne.
Sir Ralph Sidenham.
Sir Francis Godolphin.
Sir Richard Vivian.
Sir Thomas Hele.
Sir Orlando Bridgeman.
Sir Thomas Bludder.
Sir Richard Cave.
Sir Richard Weston.
Ger: Parrey.
Ambrose Manaton.
Jo: Polewheele.
Jo: Arundel.
Thomas Lower.
Edward Hide.
William Allestry.
George Stonehouse.
Edward Seymore.
Peter St. Hill.
William Poole.
Roger Mathew.
Richard Arundel.
Robert Walker.

Giles Strangeways.
Jo: Strangeways.
Gervard Nape.
Samuel Turner.
William Constantine.
Henry Killigrew.
Ro: King.
John Dutton.
Henry Bret.
William Chadwell.
Theo. Georges.
Jo: George.
Thomas Fanshaw.
Humphrey Conningsby.
Richard Seaborne.
Arthur Ranelagh.
Thomas Tomkins.
Samson Evers.
Jo: Culpepper.
Jeffrey Palmer.
Jo: Harrison.
Thomas Fanshaw.
Roger Palmer.
William Watkins.
John Smith.
Edward Littleton.
Harvie Bago.
Richard Leveson.
Richard Lee.
Thomas Whitmore.
Edward Aston.
C. Baldwin.
R. Goodwin.
Thomas Howard.
Thomas Littleton.
Robert Howard.
John Mecox.
Matthew Davies.
Francis Cornwallis.
Thomas Jermyn.
John Taylor.
William Bassett.

William Bateman.
Edward Ridney.
Thomas Hanham.
Edward Philips.
Jo: Digby.
Edward Kirton.
Christopher Lewkin.
Edward Alford.
Jo: White.
Jo: Ashburnham.
William Smith.
Thomas Leeds.
J: Thin.
William Pledet.
Ro: Hide.
Edward Griffen.
Walter Smith.
George Low.
Richard Harding.
John Bodville.
William Thomas.
Henry Bellasis.
William Mallory.
John Salisbury.
William Prue.
Robert Herbert.
Philip Warwick.
Herbert Price.
Henry Herbert.
Endimion Porter.
Samuel Sandys.
William Morgan.
John Miffin.
George Wentworth.
Richard Aldbury.
William Herbert.
John Prue.
Charles Price.
Thomas Cooke.
John Whistler.

So that the number of the Peers which sat in this Parliament at Oxford, were forty four whereof two, viz. the Duke of York & Prince Rupert were the newly created, viz. the

The Civill Warres

the first Duke of *Tork*, as he had been appointed to be called at his birth, *Anno 1633.* and the second Earl of *Holdernesse* and Duke of *Cumberland* (so that they might sit and vote amongst them;) and the number of the Commons no lesse than one hundred and seventeen: But besides these, there were several others, both of the Peers and Commons, who had deserted the Parliament at *Westminster*, but could not appear here, being impeded either by several accidents, by being employed in his Majesties service, absent beyond Seas, or imprisoned by those at *Westminster*.

Those Peers impuded appearance by several Accidents, were:

Lord Viscount *Cambden*.

LORDS.

Abergavenny.
Arundell.
Capell.
Newport.

Those Peers employed in
his Majesties Service,
were,

Marquesses.

Winchester.
Vorcestre.
Newcastle.

Earls.

Darby.
Huntington.
Clare.

Marleborough.
Lord Viscount *Falken-*
bridge,

Lords.

Morley.
Darcey and Coniers.
Sturton.
Eucers.
Daincourt.
Paulet.
Brudenell.
Powesse.
Loughborough.
Vaughan.
Herbert of Cherbury.

Hopton.
Byron.
Wishrington.

Peers absent beyond Sea.

Earl of *Arundell.*
Earl of *St. Albans.*
Viscount *Mountague.*
Viscount *Strafford.*

LORDS.

Stanhop.
Coventry.
Goring.
Craven of Hamsted.
Craven of Ryton.

The Earl of *Chesterfield* and the Lord *Mountague* of *Boughton* were confined by the Parliament at *Westminster*.

Those Members of the House of Commons which were disabled from
appearing at *Oxford* were:

Earl of *Cork.*
Sir *John Pawler.*
Sir *John Burlacis.*
Sir *Robert Hutton.*
Sir *Gervase Clifton.*
Sir *Guy Palmes.*
Sir *Patrick Curwin.*
Sir *Henry Bellingham.*

Sir *George Dalfon.*
Sir *Thomas Stanford.*
Sr. *William Dalfon.*
Sr. *John Brich.*
Sr. *John Stepney.*
Peter Venables.
Edward Bagshaw.
Francis Newport.

Anthony Hungerford.
John Russel.
Thomas Chichly.
Robert Sutton.
Jervase Hollis.
Mich. Wharton.
James Sindamort.

Those

of Great Britain and Ireland,

103

1643.

Those Commons employed in His Majesties service were,

Sr. John Finch.	Sr. Hugh Cholmley.	Ralph Sneed.
Sr. William Carnaby.	Sr. George Wentworth.	John Couchet.
Sr. Thomas Danby.	Sr. Walter Lloyd.	John Coventry.
Sr. William Ogle.	Sr. William Udall.	Jo: Bellasis.
Sr. Thomas Germin.	Sr. Thomas Bourchier.	Thomas Hebelthaitt.
Sr. John Stowel.	Sr. Thomas Roe.	John Vaughan.
Sr. Robert Strickland.	Lord Mansfeld.	Richard Ferrers
Sr. Philip Musgrave.	Hugh Porter.	George Harmoll.
Sr. Henry Slingsby.	Walter Curle.	Robert Hunt.
Sr. John Mallory.	William Stanhop.	Thomas May.
Sr. Thomas Ingram.	John Fenwick.	

So that there were no lesse than eighty two Peers, and one hundred seventy two of the Commons absent from the Parliament at Westminster; wherefore the Number aforesaid appeared and sat at Oxford, but would neither take upon them the name of a Parliament, nor Act any thing in Order to his Majestys Designs; All that ever they did, that ever I could hear of. was the writting of the following Letter to Essex for a Treaty of Peace, viz.

My Lord,

HIS Majesty having by his Proclamation of the two and twentieth of December last (upon occasion of this Invasion by some of his Subjects of Scotland) summoned all the Members of both Houses of Parliament to attend Him here at Oxford, inviting us in the said Proclamation by these gracious Expressions: *That his Subjects should see how willing he was to receive Advice for the preservation of the Religion, Laws, and safety of the Kingdom; and as far as in Him lay, to restore it to its former peace and Security (His chief and only End) from these whom he had trusted, though he could not receive it in the place where he appointed.* Which hath been made good to us, and seconded by such unquestionable demonstrations of his deep and Princely sense of the Miseries and Calamities of poor Subjects in this unnatural War, and his passionate Affection to redeem them from that deplorable Condition by allwaies consistent with his Honour, or the future safety of the Kingdom, &c. We being most entirely satisfied of this truth, and sensible of the Desolations of our Country, and further Dangers threatened from Scotland. And being desirous to believe your Lordship (how ever engaged) a Person likely to be sensibly touched with these Considerations, do invite you to that part in this blessed Work, which is only capable to repair all our Miseries, and buoy up the Kingdom from Ruine. We therefore conjure you by all Obligations that have power upon Honour, Conscience, or publick Piety, you will cooperate with us to its preservation, by truly representing to, and promoting with those by whom you are trusted, this our desire. That they joyning with us in a right season, some Persons be appointed on either part to treat of such a Peace, as may redeem it from the brink of desolation. This Adresse we make, being assured by his Proclamation of Pardon, that his Mercy and Clemency can transcend all former provocations. God Almighty direct your Lordship, and those whom you shall present with these Our real Desires, as may produce a happy peace, &c.

The

1643.

The Letter was signed by all the Members, both Peers and Commons, but this little they did, had as little effect, for they never received Answer of it, neither from the General Essex, nor from the Parliament at *Westminster*, to whom he sent it.

CHAP. LIII.

The Scots enter England; Their Declaration, Sir Thomas Glenhams Letter to Argile.

THE Kings continued Series of Successes made the Parliament to hasten the effects of their solemn League and Covenant with the Scots; what this Covenant was in it self, and how much worse it was kept I think there's no English man but knows; yet were not the Parliament content to take it themselves, but by an Ordinance enforced all within their power to swear to it, or else proceed against them as Malignants, though the King by Proclamation expressly forbade the taking of it by any of His Subjects, telling them: "That whereas there was a printed Paper, entituled, (A Solemn League and Covenant for Reformation and defence of Religion, the honour and happinesse of the King, and the Peace and safety of the three Kingdoms of England, Scotland and Ireland) pretended to be ordered by the Commons in Parliament, on the one and twentieth day of September last, to be printed and published, which Covenant though it seemed to make specious pretences of Piety and Religion, yet was in truth nothing else but a traitorous and Seditious Combination against Him, and against the Established Religion and Laws of the Kingdom, in pursuance of a Traiterous Design, and endeavour to bring in Foreign Forces to invade this Kingdom. His Majesty did therefore straightly charge and command all his loving Subjects of what degree and quality soever upon their allegiance, that they presume not to take the said seditious and Traiterous Covenant, most straightly forbidding all His Subjects to tender the said Covenant, as they would answer it at their utmost peril, &c. But if the King endeavoured to obstruct the taking of this Covenant, the Parliament at *Westminster* as much endeavoured to further it; and the Pulpiters in and about *London* menaced no lesse than hel and damnation to those who refused to take it; and not only did they preach up it, But likewise with might and main preached up advance money for bringing in the Scots; in so much that the Minister of the *Savoy* blasphemously told his Auditory: "that they ought to contribute, and pray, and do all they were able to bring in their Brethren the Scots, for the settling of Gods cause: I say (sayes he) this is Gods Cause; & if ever God had a Cause, this is it; & if this be not Gods cause then God is no God for me, &c. And at length their covenant and Preaching had its desired effect; the Scots, towards the latter end of this year with an army of eighteen thousand Foot, 2. Thousand Horse, & one thousand Dragoons, making a full Career into England, til their March was for some time stopped; and they kept on the other side of *Tyne* by the Marquess of *Newcastle*, but before them comes their large Declaration to the people of England, setting forth the justness of their cause, the lawfulness of their calling thereunto, and the faithfulness of their carriage therein: "For the first (say they) we appeal to the search of all hearts, who knows, that had not the love of Christ requiring us to bear one anothers burthens, and the Law of Nature challenging our endeavours to prevent our own Danger, invloped with our Neighbours, and our duty and desire of rescuing the King from his pernicious Council: we could with far more content have enjoyed

of Great Britain and Ireland,

105

1643.

“joyed our dry Morfel, than entred into your houses full of Sacrifices with strife. And we prolesse before God and the World our hearts are clean and free from any other intentions than those expressed in our Solemn League and Covenant confederate with England, viz. Reformation of Religion, Honour of the King, peace of the Kingdoms. And because a good cause necessarily requires a good Calling; providence hath so provided that the Parliament of England have a particular Obligation upon this our Nation for refusing to countenance a War against us in 1640. and now desire our assistance to them, and so with the sense of Piety, Religion, Honour, and Duty to their Sovereign, we may not resist our call to this expedition; and for our carriage herein we shall order our Army from Insolencies, Rapines, Plunders, and other calamities incident to War. And we do freely give the publike faith of the Kingdom of Scotland to the Kingdom of England, that neither our entrance into, nor continuance in England, shall be made use of to any other ends than is expressed in the Covenant. And we call God to witness, our only intent of War is to confirm all in peace, and so return home again. Thus endeavour they to set forth their Invasion in the fairest colours, as it they had perwaded themselves, that large and specious pretences could at any time justifie bad actions. This Declaration, with a Letter from Argile, and Sir William Armine (the Parliaments Agent for hastening the Scottish Army) was sent to Sir Thomas Glenham, Governour of York: for the King labouring therein to excuse the Scottish Invasion by Sir Thomas Glenhams Answer to Argile, we may give a guess what theis contained; take his thus:

My Lord,

“I Have this day, February the first, 1643. received yours, together with one to the Gentlemen of the Countrey, and having communicated with them, we return you this Answer: That without the sight of that Letter we could not have been induced by any flying rumours to believe that the Scottish Nation, or the prevailing party for the present in that Nation would have attempted an Invasion of England: so contrary to the Laws of God, of Nations, of both Kingdoms, and especially to the late Act of Pacification: so opposite to their Allegiance, and Gratitude to His Majesty; to that Neighbourly love they pretend, to the discreet care which they should have of their own safety. We could not otherwise have imagined, that they, who by his Majesties goodnesse enjoy a settlement of their Church and State according to their own desires, should needlessly and ingratfully imbroile themselves in a business that concerns them not, forfeit their Rights, disoblige his Majesty, and hazard the losse of their present happinesse. No Order of any Committee, or Committee whatsoever, of Men or Angels, can give them power to march into the bowels of another Kingdom, to make an offensive War against their natural Sovereign, upon the empty pretence of evill Counsellours, who could never yet be named; and for the English Agents we cannot believe them to be any Commissioners lawfully authorized either by the Parliament, or by the two Houses, or yet by the House of Commons, whence so many of the Members are expelled by partial Votes, so many banished by seditious Tumults, so many voluntarily absent themselves out of conscience; where desperation, or want of opportunity to depart, or fear of certain plunder, are the chiefest bonds which hold the little remnant together from dissipating; where the venerable name of Parliament

The Civill Warres

ment is made a Scale to countenance the pernicious Councils and Acts of a close Committee. For Subjects to make forraign Confederacies without their Sovereigns assent, to invade the Territories of their undoubted King, to go about by force to change the Laws and Religion established, is grosse Treason without all contradiction; And in this case it argues strongly who have been the contrivers and fomenters of all our troubles; no *Covenant* whatsoever, or with whomsoever can justifie such proceeding, or oblige a Subject to run such disloyal courses. If any man, out of Ignorance, or Fear, or credulity have entred into such a Covenant, it binds him not, except it be to Repentance, neither is any such necessity as is pretended of your present posture; your selves cannot alledge, that you are any way provoked by us, neither are we conscious to our selves of the least intention to molest you. Those ends which you propose are plausible indeed to them who do not understand them: The blackest designs did never want the same pretences. If by the *Protestant* Religion you intend our *Articles*, which are the publick confession of our Church, and our Book of *Common Prayer*, re-established by Act of Parliament: you need not trouble your selves; we are ready to defend them with our blood. If it be no otherwise, it is plain to all the World, that it is not the preservation, but the innovation of Religion which you seek, however by you stiled *Reformation*. And what Call have you to Reform us by the Sword? We do not remember that ever the like indignity was offered by one Nation on to another, by a Lesser to a Greater. That those men, who have heretofore pleaded so violently for *Liberty of Conscience*, against all Oaths and Supercriptions, should now assume a power to themselves to impose a Law upon the consciences of their fellow-Subjects; a vanquished Nation would scarce endure such terms from their Conquerours. But this we are sure of, that this is the way to make the *Protestant Religion* odious to all *Monarchs*, Christian and Pagan. Your other two ends, that is, *The Honour and Happinesse of the King*: And, *The publick peace and liberty of his Dominions*, are so manifestly contrary to your practice, that we need no other motives to withdraw you from such a course, as tends so directly to make his Majesty contemptible at home and abroad, to fill all His Dominions with Rapine and Blood. In an Army all have not the same Intentions. We have seen the Articles agreed upon, and those vast sums and conditions contained in them, as if our Countreymen thought that England was indeed a Well that could never be drawn dry; and whatsoever the intentions be, we know right well what will be the consequents: if it be otherwise, no intention or consequent whatsoever can justifie an unlawfull Action, and therefore you do wisely to decline all dissputations about it: It is an easie thing to pretend the Cause of God, as the Jews did the Temple of the Lord, but this is far from those evident demonstrations which you often mention, never make. Consider, that there must be an account given to God of all the blood that shall be shed in this Quarrel: The way to prevent it is not by such insinuations, but to retire before the sword be unsheathed, or the breach be made too wide. You cannot think we are grown such tame creatures as to desert our Religion, our Laws, our Liberties, our Estates upon the command of Forreigners, and to suffer our selves and our posterity to be made beggars and slaves without opposition. If any of ours shall joyn with you in this Action, we cannot look upon them otherwise than as traitors to their King, Vipers to their Native Country, and such as have been Plotters and Fomenters of this Design from the beginning.

of Great Britain and Ireland.

107

1643.

“beginning. But if misinformation or fear hath drawn any of yours ignorantly or unwillingly into this cause, We desire them to withdraw themselves at last, and not make themselves accessory to that Deluge of mischief which this second voyage is like to bring upon the Kingdoms.

One would certainly have thought that this Letter might have produced some good effects amongst the Scots, had not the great ones amongst them been leared in Rebellion, and there was too much in it for the Vulgar to know, but it was to no purpose indeed to perswade them who were now come with swords in their hands, and blood in their hearts; But let us a little leave them Skirmishing daily with the Marquess of Newcastle Army, who was marched towards them, as I said, to stop their advance further then the *Tyne*, and proceed.

CHAP. LIV.

Montrose Propositions to the King; Prince Rupert raises the Siege from Newark.

THE Gallant Marquess of *Montrose*, at his first coming out of *Scotland* to the Queen at *Tork*, soon after Her landing at *Burlington Bay*, had acquainted Her Majesty of the intention of the Scottish Covenanters to bring an Army into *England*, to assist the Parliament against the King; Yet so far had *Hammonds* insinuations grounded a contrary belief, both in Her Majesty and the King, that neither with Her here, nor with His Majesty afterwards at *Oxford*, could he gain credit, but (such power had the two Brothers, *Hamilton* and *Lanerk*, then at Court, and so great a confidence had the King of their Loyalty) his relations of the Covenanters designs were by most looked upon as Fables, and his Propositions of the Remedies before they could come to too great a head looked upon only as the motions of his own ambitious mind, the easier to get into command. Till at length, first by the continued reports of the raising of that Army, and at length by their personall Invasion of *England*, the King was forced to believe, that whatsoever *Montrose* had told him was really true, and that he was betrayed by his too much credulity in the *Hammonds*: He therefore now applies himself to the faithful *Montrose*, (whose former Councils he now clearly perceived to proceed from a Super-Loyal soul, and not out of Ambition, Self-ends, or Malice to the *Hammonds* as was suggested, (and craves his Counsel, who glad at last that hee might be admitted to the Service of the King his Master, proposes: First, That his Majesty would be pleased to send some Sculdiers cut of *Ireland* into the North of *Scotland*. Secondly, That he would give Order to the Marquess of *Newcastle*, General for his Majesty in the North of *England*, to assist him with a considerable Party of Horse, to enter the South of *Scotland*, that so he might convey himself into the Heart of the Kingdom, and joyn with the *Irish* Forces. Thirdly, That he would deal with the King of *Denmark* for some Troops of *German* Horse, Cavalry being the only thing which he should in all likelihood want. Fourthly, That his Majesty should take some course to procure and transport some Arms, &c. out of some Foreign Country into *Scotland*, and with this Assistance he would willingly hazard his Person, and doubted not, but by the help of God to prove serviceable to his Majesty, and destructive to the Rebels. His Majesty highly approved His Counsel, and to put it the more speedily to execution, he consults

1643.

Antrim pro-
mises Mon-
troise 10000
men for Scot-
land.

Montrose
advances in
to Scotland.

Returns un-
fortunately.

with the Earl of *Antrim* about transporting some Forces out of *Ireland*, which he readily undertakes to do, and promised, that by the first of *April*, 1644. he would be in *Argyl* with ten thousand men, though he was far from performing it. Colonel *Cockram* was sent to negotiate with the King of *Denmark*; and Orders were sent to the Marquesse of *Newcastle* to supply *Montrose* with a good Party of Horse according to his desire, and soon after himself was dispatched with Commission to be Governour of *Scotland*, and General of his Majesties Armies there; But being come to *Durham* to the Marquesse of *Newcastle*. in stead of that aid of Horse which according to the Kings Instructions shuld have been given him, he found nothing but complaints of the Marquesses, of the weaknesse of his Army, that the breaking in of the *Scots* in the middelt of Winter had spoiled his Recruits; and that the Rebels were then quartered in greater numbers than himself, within five miles of him; however, at length he spared him one hundred Horse, but those lean and ill accoutred, and two Field-pieces, and likewise gave Orders to the Officers of the Kings Army in *Cumberland* and *Westmorland* to wait upon him into *Scotland*, which they did, with three Troops of Horse and eight hundred Foot; with which small Forces, and the two hundred Horse brought with him from *Oxford*, he first entred *Scotland* in *April*, 1644. but being there, and hearing no news of *Antrims* Irish, his Souldiers deserting him, and running home, he was forced soon after to return unfortunately. So let us leave him, till his second more gallant and succesful entrance into that Kingdom, and end this year with an account of Prince *Rupert*'s raising the Siege from *Newark*. That Garrison had three weeks together been besieged by Sir *John Meldrum* for the Parliament, when Prince *Rupert* being at *Wescheester* on the 12th of March, received command from the King to march with all speed to its relief, which he did, with four thousand Foot and two thousand Horse and Dragoons, recruiting his Army likewise at severall places as he went; and afterwards, notwithstanding the endeavoured opposition of *Meldrum*, joyned his forces with Major General *Porter* and the Lord *Loughborough*, and that night of their conjunction quartered at *Bingham* about eight mile from *Newark*, and about two a clock in the Morning advanced towards the Enemy, who had scarce any other advice than a rumour of the Princes coming, upon which they drew off their Batteries into the chief Work at the *Spittle* or *Excester-houle*, which some of Prince *Rupert*'s Espials understood to be their haste in sending away their Cannon, and accordingly give the Prince an account of it; and he imagining that they were marching off, posts with the Van of his Horse to overtake them, ordering the rest of his Horse to march along with the Foot, Cannon and Ammunition. Being come to the *Beacon-hill*, within a mile of *Newark*, he perceived some of the Enemies Horse, who upon his approach drew down the other side to their own party. The Prince having gained the hill, and guessing at the advantages he had upon a retreating Enemy, turning to his Souldiers, Come (says he) courage let's charge them with the horse we have til our Rear and Foot be marched up to us; and so Trooping on along the hill, he perceived most of the Enemy in *Battalia*, Horse and Foot, onely four great bodies of Horse Expected him at the very descent of the hill. The Prince having ordered his Forces, fell on; The Fight began about nine a clock in the morning, and fought very sturdily on both sides, the Prince himself through his too much forwardnesse being once very hardly engaged by three lusty fellows, whereof one died by his own sword, a second was pistol'd a by Monsieur *Mortaigne* one of his Gentlemen, and the third ready to lay his hand

hand on the Princes collar, had it nigh chopt off by Sir *William Neale* being thus disengaged, he charged thorow, and routed that Body, and pursued them almost to the Spittle, where their main Body lay; whilst in the mean time Major General *Porter*: the Lord *Loughborough*, and the other Commanders, had routed the other three Bodies of horse, and pursued them to their Trenches, with the loss of sir *Charles Gerrard*, who by reason of the fall of his Horse was taken Prisoner. Then both Parties after a while rallied again, and a second tough dispute there was, but in the end sir *John Meldrum*'s horse were beaten quite out of the Field. In both these Encounters the Prince took five Cornets, and about ninety prisoners, whereof three Captains. The Enemies Foot had not yet advanced, and Prince *Rupert* now stayed for the rest of his Horse and Foot; which being come, The Enemy drew all their Horse and Foot into the Spittle-Work; which the Prince resolved to have stormed, had hee not received advice that they were in extrem want of Provisions, and that it was impossible they should subsist two dayes. Whereupon he determined it would prove a cheaper Victory to block them up; which Counsel he took, and on all sides surrounded them with his Army.

The Town was on the South side of them, on the East lay the Prince, On the North Colloel *Tilliar*, who commanded the Princes Foot, and into the Island on the West, had the Prince put eleven hundred Horse and Dragoons; so that they had no way safe to sallie, and little hope of a sudden relief: and sensible of their own condition, they soon after sent out a Trumpet to desire a parley, and to sweeten the business, some hours before had sent out sir *Charles Gerrard* upon his parole to return again, and present himself a prisoner when he should be called. The parley was accepted, and between Sir *Richard Gran* Captain of the Princes Guard, and sir *William Neale* Scout-Master-General for the Prince; and sir *Myles Hobard*, and sir *John Palgrave*, for sir *John Meldrum*, these Articles were concluded on:

1. That all Match, Bullet, Powder, Canon, and other Fire-Arms, belonging to the Artillery, should be delivered.
2. That all Souldiers should march away with their swords by their sides, and Colours and Drums.
3. That all Officers should march without molestation with their Arms and Horses for themselves and servants, and all Bag and Baggage, Money, and whatsoever did truly belong to themselves.
4. That all Troopers and Dragoons should march with their Swords, Horses, and Colours.
5. That his Highness should send a convoy to protect them from any injury, two miles from the utmost of his Quarters.

These Articles were concluded on the 22 of March; an easie victory it was, and as easie conditions to the conquered: but it was thought no wisdom to provoke a distressed Enemy to desperation; and besides, the Orders given to the Lord *Fairfax* and his son to march, made the Prince believe he should have other Work shortly to do.

CHAP. LV.

Brandean-Heath Fight. Selby taken by Fairfax. The Parliament at Oxford prorogued. The Kings Protestation.

Here was the latter end of the last year some differences between Sir *William Waller* and General *Essex*; *Waller* is supposed encouraged by some Members in the

The besiegers besieged.

The Civill Warres

1644.

Cheirton
fight.Waller takes
Winchester

the House of Commons, after his taking of *Arundel*-Castle, had sent to the Parliament, desiring their Commission to him to place and displace all Governours of Towns and Castles within his Association; which if granted, extremely took off from *Essex* his Authority, from whom all Military Commissions were before derived; and it seems, as appears by his Letter to the Parliament, he had limited Sir *William Waller* in his Commission more than usually he did others. Thus he writes, That in truth the Commission he sent to Sir *William Waller*, was not so full as he usually granted: and that the reasons why he was so limited, were not to be discovered; adding further, as if he were displeased, That he did no more than what he ought to do: That the charge he took upon him, was not of his own seeking, though it was a great encouragement to him, that the Houses once thought him worthy of the sole Command; which however lessened, yet he would never desert the Cause as long as he had any blood in his veins, till the Kingdom had regained her peace, or an end by the sword, &c. However this Spring Sir *William* having lain a good while compleating his Leavies at *London*, hee marches out Commander in chief of his own Army, without dependance on *Essex* his direction. At his going out of *London*, Fasting and Prayers are made in all Churches for the good success of the servants of the State, now going out to fight the Lords Baitels; and so forward he goes to find out the Lord *Hopton*, who had drawn a considerable party of Horse out of *Winchester* to oppose Sir *William Balford*, whom *WValler* had sent to possess *Alresford*; But his Lordship was too quick for both the Sir *Williams*, and had gotten there before, so that *Waller* was forced to quarter in the Villages, whom the next morning the General *Forth* and the Lord *Hopton* went out to seek on *Brandean*-Heath, whom they found possessed of a very advantageous Hill, but after a hot encounter they forced him from it, and Collonel *Liste* was commanded to keep it all night, whilest *Waller* taking the advantage of the night possesses himself of a far stronger ground, made more advantageous by the Covert of Trees and Hedges; hither Collonel *Applesford* was sent to dispossess him, but he found it very difficult by reason of the enemies powdering down shot from among the Trees and Hedges; yet at length, though with a great deal of losses, he forces *WValler* from the Ground; but *Hopton* pursuing further, by the mistake of a Corporal, who took his Enemies for Friends, was by *WVallers* Ambuscadoes forced to a disorderly Retreat, but neither side could have cause to brag of the victory, both of them being sufficiently beaten: On the Kings side were lost the Lord *John Stuart*, Sir *John Smith*, Colonel *Sandy's*, Colonel *Manning*, and Colonel *Scot*, who died of their wounds after the fight. That Lord *Stuart* was the third son of *Esme* Duke of *Lenox*, and the second of that Noble Family that lost his life in his Sovereigns service. There were likewise hurt in this Battel Sir *Henry Stowell*, Sir *Henry Bard*, Col. *Appleyard*, and Captain *Pierston*. The Parliament Army lost some Officers, and Collonel *Thompson* had his leg shot off by a Cannon bullet. After the Battel the Cavaliers drew off disorderly towards *Winchester*, but wheeling about went to *Basing*, whilest *Waller* marches to *Winchester*, and, upon Summons had the City surrendered to him. This Victory of *Walters* was highly cried up in the City, and his credit fully regained by it; a solemn Thanksgiving ordered throughout the City, & some Members of both Houses sent to congratulate with them for the happy news, and to encourage them to new Supplies, for still they wanted them, and amongst other speeches, the Earl of *Pembroke* and *Montgomery* tells the Citizens: That the City Auxiliaries had done their

of Great Britain and Ireland.

III

1644.

their part, and if they went out but once more they would rid the Kingdom of those Rogues the occasion of all our miseries. These successes of the Parliament make the King draw his Army to a General Rendezvous; and the Parliament likewise are very busie in Recruiting their General *Essex* his Army, which they order to be compleated to seven Regiments of Foot, and six of Horse, and a constant pay of thirty thousand five hundred and four pound a month; for the better defraying of which charge, they find a new way of making the Citizens fast, by making an Ordinance, That all Inhabitants in *London* and *Westminster*, and Lines of Communication shall pay each Tuesday the value of one ordinary meale for himself and Family, according to his quality and condition, to be assessed by fitting persons in each Ward, and this to continue for six months: so that what the Citizens did first of themselves for setting forth their Favorite *Wallor*, is now by the Parliament thrust upon them for maintenance of *Essex* his Army. In the North, the march of the Earl of *Newcastle* being necessitated, as I said before, to advance with his Army toward the Scots, the Lord *Ferdinando Fairfax*, and his Son Sir *Thomas*, had Order given them for reducing *Yorkshire* for the Parliament; and having had several successes against the Cavaliers in that countrey, on the tenth of *April* they drew near to the Garrison of *Selby*, where those of the Town sallying out upon them, *Fairfax*es forlorn-hope beat in again, and pursued them to the very Gates; and the next morning surrounding the Town, after a very hot encounter, entred it with a great slaughter to those within; a thousand Prisoners taken, most of the Officers, and good store of Ammunition; and to make him yet more victorious, he had soon after the like success at *Hemphrough*, not far from *Selby*; so that he was fain to write to the Parliament, desiring their Orders how to dispose of the Prisoners. The Kings Army being now almost ready to march, on the sixteenth of *April* He prorogued the Assembly of Parliament-Members at *Oxford*, they themselves desiring to recede, and at their departure He tells them: "That he was brought thither by themselves, they desiring to part with him, "The same desire and zeal (saies he) that brought you hither, and staid you here, "seeks this recede; So that by distributing themselves into several Counties, all might reap the fruit of their Consultations. That he heartily thanked them for what they had done, and fully approved of what they desired: To them that had charge in his Armies he recommended their Example and Discipline against License and Disorders: To those engaged in Civill Affairs to expedite the supplies of moneys, being the Nerves of the War; That they should be sure to inform all His Subjects of the odiousness of this Rebellion, how solicitous he had been for Peace, how insolently rejected. That His Armies were raised and kept for defence of Religion; and so He prayed that God, who had hitherto blessed that meeting with unanimity, would bring them safe together again on the eighth of *October* next. But afterwards by His Proclamation at *Exeter*, of the 21. of *September*, he prorogued their meeting: and on the same day that he now prorogued them he set forth of *Oxford* with the Queen; who being near the time of her delivery, 'twas thought convenient (in regard of the general report that *Essex* had some design upon *Oxford*) that she should remove to *Exeter*, as a place more secure and remote from danger; the King, Prince, and Duke of *York*, with most of the prime Nobility and Gentry attending Her as far as *Abingdon*, and from thence a sufficient convoy of Horse being appointed to guard Her Person thither. But before His Majesties departure from *Oxford* He received the blessed Sacrament of the

Ordinance
for Tuesday
meals.

Queen sets
forward to-
wards Ex-
eter.

Lords

1644.

Lord's Supper from the hands of the Arch-bishop of *Armagh*, in presence of his Peers, and just before his receiving the sanctified Elements, beckoning to the Arch-bishop of *Armagh* to forbear a little, He made this protestation.

"My Lord, I espy here many resolved Protestants who may declare to the World the Relolution I do now make, I have to the utmost of my power prepared my soul to be a worthy receiver, and may I so receive comfort by the blessed Sacrament, as I do intend the establishment of the true reformed Protestant Religion, as it stood in its beauty in the happy daies of Queen *Elizabeth*, without any connivance at Popery. I bless God that in the midst of these publick distractions I have stil liberty to communicate, and may this Sacrament be my damnation if my heart do not joyn with my lips in this Protestation.

From hence I appeal to the most partial Judgement whether hee can think, that the King at all deserved that slanderous imputation of an intention to introduce Popery.

CHAP. LVI.

Prince Rupert takes Stopwash, and relieves Latham House, the Parliament hasten their Army out.

PRINCE *Rupert* after his Victory at *Norwich*, though he lay never Idle, yet few actions of note hapned from that time till the 21 of May, when marching towards the relief of *Latham House*, (which was besieged by the Collonels *Elston*, *Moor* & *Rigby*, with addition of *sic Thomas Middleton*, and *sic William Fairfax*s forces, & held out by the Gallant Countesse of *Derby*) coming near to *Stopwash* (a Town seated upon the River *Marsey*, which divides *Cheshire* and *Lancashire*) kept by a strong garrison of the Parliament, a party of about three thousand Horse and Foot faced his Horse till he about six a Clock in the Evening, coming up with his Foot, the other side withdrew to the hedges, lining them thick with shot; here he must passe, and therefore Orders Collonel *VVashington* with some Dragoons to scoure the hedges, which he gallantly did, forcing them to the Town, and the Prince following close at their heels, entred with them, took the Town, with all the Canon, Arms, and Ammunition, and a great number of prisoners, and being now possessed here and so near unto it, he sends some Relief to *Latham House*, (for the Enemies upon the report of his coming had packt up their Baggage and were gone, though with some losse in their Rear, which the Besieged fell upon, slaying some, and taking others) and indeed this house stood in great need of supply of all things necessary for a Garrison; it had endured eighteen Months siege, and were reduced to extreame necessity for want of provisions, which made some of Collonel *Moors* men stick a breast of Mutton on a pikes point, and dare those within to come out and dine, but they paid for their Jest for Captain *Chisnal* falling out upon them, entred their Trenches, took severall prisoners, and some Colours, which carrying to the back Gares of the House opened them, and shewing the Collours, cried out, *A Latham, a Latham, the House is taken*; Whereupon the Enemy, ignorant of the Deceit, advanced in a Body with all speed to the Gate, when at a convenient distance they within fired three pieces of Ordnance upon them, doing much execution; several other sallies and skirmishes there were before the House was Relieved. To *Glostershire* Collonel *Purefoy* was sent by the Parliament

with

of Great Britain and Ireland.

119

with four hundred Foot, and a Regiment of Horse, to remove or take in the Cavalier Garrisons which were disturbed the City, and had better success in taking *Beverston* castle, than those Forces sent by *Massey*, Governour of *Glocester*, had, who taking opportunity of Sir *John Winters* absence in *Wales*, came before his house in the Forest of *Dean*, where his Lady now kept garrison, whom they summon to surrender the house for King and Parliament, engaging by the honour of Governour *Massey*; that her Ladyship should receive protection for her and hers with good usage, but if she refused, Fire and sword must follow: but the slighting their menaces, bravely returns the Commander of those Forces this answer:

1644.

Massey summons Sir *John Winters* House in his absence.

SIR, Mr. Winters unalterable Allegiance to his King and Sovereign, and his particular interest to this place hath by His Majesties Commission put it into this Condition which cannot be pernicious to any but such as oppose the one, and invade the other, wherefore rest assured, that in these Relations we are by Gods assistance resolved to maintain it, all extremities notwithstanding. Thus much in Mr. Winters absence you shall receive from Mary Winter.

So these Forces, like Fools as they came, marched off again, the place being too well fortified for them to hope any advantage by attempting it; but soon after *Massey* himself takes two Garrisons of the Kings, *Malmesbury* by storm, and in it 100 Prisoners; and *Teutbury* by surprise. Whilst the Parliament at *Westminster*, hearing of the forwardness of the Kings Army, make haste with the setting forth of theirs; and for the better effecting it, are forced, besides the Tax of *Tuesday* meals, to borrow one hundred thousand pound more out of the City upon the publick Faith, still telling them as they rowed of the had done many times before: That this would make an end of the War, and settle peace City. for evermore: and encouraging them to the readier Payments by continually buzzing in their ears the late happy successes of Sir *William Waller*, and giving them Holy-daies, and dayes of Thanksgiving for Victories only in imagination. The Army being at length supposed to be in readines, their general Rendezvous was appointed to be at *Alisbury* in the County of *Buck*, where all the Generals met.

CHAP LVII.

The King Marches from Oxford; Essex and Waller divide; Waller Defeated at Cropedy Bridge.

ESSEX and Waller, having now joyned their Forces, made up a gallant Army, which lying hovering about *Oxfordshire*, the King had a desire to draw them from those parts, and leaving a Tertia of His Foot, with a Regiment of Horse, and all his heavy Canon and Carriages at *Oxford*, under the Command of the Earl of *Peterborough*, for defence of that City, His now Seat Royal, Marches with a light Army of three thousand Foot, and four thousand Horse, directly towards *Worcester*; which Essex having advice of, follows him as far as *Chipping-norton*, from whence being returned to *Burford*, he stays for Waller, and betwixt them it was concluded (though with some unwillingness in Sir *William*, who would more gladly have gone into the West to have regained his credit there) that General Essex should with his heavy Guns march by ease

The Civill Warres

1644.

the Journeys into the West Countries to reduce them for the Parliament, and that Sir William with the lighter Field Pieces should joyn with Massey's Forces, and pursue the King; and now (as a worthy Person observes) the Mystery of Iniquity appeared in its proper Colours: For whereas it was formerly given out by the two Houses of Parliament, That they had undertaken the War for no other reason, but to remove the King from his evil Counsellours: Those pretended evill Counsellours were left at Oxford unmolested, and the Kings Person only hunted.

His Majesty was thus by the easie Marches of Waller pursued as far as Bewdly 3 where considering that He fled before a contemptible Enemy, and that Essex was now advanced so far to the West that he could not easily return back to joyn with Waller, He resolved to return back towards Oxford, furnish himself with Ammunition, and give him Battle: To which effect some Troops of Horse were ordered to shew themselves along the Shore of Severn towards Bridgenorth, as if they meant to march towards Shrewsbury; Advice of which being brought to Waller at Brovesgrove, some of his Horse being quartered at Kidderminster, within two miles of the King, he presently dislodged them, and made what haste he could to get before his Majesty. But the King having thus amazed him got with his Foot before night to Worcester, his Horse following soon after, leaving Waller two daies march behind him, came directly to Burford, where he received Ammunition and Artillery convenient, and at Whitney some fresh Forces are imbodied with his Army, and now he goes to seek out Waller who before had chased him, and first faces him in Grymsbury fields, near Banbury, having commanded a thousand well commanded men to defend that side of Burley towards the Enemy, and also Nethorp a Village, which was disputed till night with losse on both sides. The next morning early Waller drew off to Burton hill nearer to Banbury, and there taking the best advantage of the ground, stood in Battalia, nor would be provoked to come thence; so the King marches off, leaving a Guard of Dragoons at Cropedy Bridge, the Passe over Charwel betwixt the Armies; Waller espying the Kings Van and Main Body marched off, and the Guard gone off, made towards the Bridge with two thousand Horse, and nine thousand Foot, with fourteen Piece of Ordnance, sufficient, as he thought, to distress the Kings Rear, which consisted of the Earl of Northampton and the Earl of Cleveland's Brigades of Horse, and Sir Bernard Astley's Tertia of Foot, who facing about upon Waller charged twice through and through, and were so well seconded that they routed him both Horse and Foot, killed 150 upon the place, took 10 Piece of Ordnance, among which were some Leather Ordnance, made by one Weems a Scot, and sworn Servant of the Kings, having been by him made Master Gunner of England, worth 300. l. per annum, and had besides 2000 l. given him for the workmanship of those Leather Guns, which now fell into his Majesties hands, together with their workman (General of Wallers Artillery) who being brought before the King had yet the confidence to tell him, That in good faith his heart was alwayes with his Majesty; besides him there were Prisoners Lieutenant Colonels Baker and Baines, three Captains, two Lieutenants, four Cornets, with other Ensigns and Officers. The King lost two worthy Knights, Sir William Boteler, and Sir William Clarke, and had some Officers hurt, and very few Common Souldiers slain. This defeat made Waller hasten to London for Recruits, where his good Lady at first sight saluted him publicly: Thou man of God come kisse me.

The King
gives Wal-
ter the go by.

The fight at
Cropedy
Bridge.

of Great Britain and Ireland.

115

The Kings Majesty, after his good success against these Forces of the Parliaments under the command of Sir *William Waller*; yet having his mind still intent upon the good and welfare of the Nations, sends this gracious Message for peace to the two Houses of Parliament from *Evesham*, on th 4th. of July five dayes after the fight.

1644.

Message for Peace.

C. R.

WE being deeply sensible of the miseries and calamities of this our Kingdom, and of the grievous sufferings of Our poor Subjects, do most earnestly desire that some expedient way be found out, which by the blessing of God may prevent the farther effusion of blood, and restore the Nation to peace, from the earnest and constant endeavouring of which, as no discouragement given us on the contrary part shall make us cease, so no success on Our part shall divert us. For the effecting thereof, We are most ready and willing to condescend to all that shall be for the good of Us and Our people, whether by way of Conformity, which we have already granted, or such further Concessions as shall be requisite to the giving of a full assurance of the performance of all our most real professions, concerning the maintenance of the true reformed protestant Religion established in this Kingdom, with due regard to the care of tender consciences, the just privileges of Parliament, & the Liberty and Propriety of the People, according to the Laws of the Land. As also by granting a General Pardon without, or with Exceptions, as shall be thought fit. In order to which blessed Peace, We do desire and propound to the Lords and Commons of Parliament assembled at *Westminster*, that they appoint such, and so many persons as they shall think fit, sufficiently authorized to attend Us at Our Army, upon safe conduct to come and return, (which we do hereby grant) and conclude with us how the Premises, and all other things in question betwixt Us and them may be fully settled, whereby all unhappy mistaking between Us and Our People being removed, there may be a present Cessation of Arms, and as soon as may be a total disbanding of all Armies, the Subject have his due, and we be restored to our Rights. Wherein if this our offer shall be accepted, there shall be nothing wanting on our part which may make our people secure and happy. Given at our Court at *Evesham* the 4th. of July, 1644.

But this Message of his Majesties, as well as other his gracious proffers tending to Peace and Reconciliation, were slighted by the two Houses at *Westminster*, either out of a refractoriness in themselves, or an opinion they had that his Majesties so often and so earnest desires of Peace proceeded out of the inability hee found in himself to hold out the War.

CHAP. LVIII.

The King pursues Essex into Cornwall, and defeats him utterly at Leifethiel.

ESSEX, having parted from *Waller*, directed his course to *Farringdon* & so to the West, which, it seems, was against the Sense of the two Houses at *Westminster*, who thereupon voted ten thousand pound a Month from him to *Waller*, then going upon the higher enterprise, to wit, The catching of the King. This extremely afflicted Essex, as appeared by his Letter of complaint to the Parliament, in which hee subscribed himself

1644.

himself, *Your Innocent, though suspected Servant*; but on he holds his Course, and by advice of the Lord Roberts, & consent of the Committee of Members, is drawn into the very bottome of *Cornwall*. whither the King after *Waller's* defeat at *Crogedy* Bridge, follows him, and on the fifth of August encamps at *Liskard*, within eight miles of him then at *Lestithyell*, where, with the help of Prince *Maurice* his Forces (conjoynd with his Majesties, and advanced to *Bocconock* the Lord *Mohuns* house) on one side of him, *Sr. Richard Greenviles* at a house of the Lord Roberts, on another, and *Sr. Jacob Ashley* at *Haul*, which commands *Foy Haven*, he encompasses him round; but before his removal from *Liskard* he sends the following Letter to *Essex* to treat of Peace before he proceed to Warre, viz.

“ **E**SS^{EX}, I have been very willing to believe, that when ever there should be such
 “ of this miserable Kingdom (which all good men desire) you would lay hold of it, the
 “ Season is now before you, you having it at this time in your power to redeem your
 “ Country and the Crown, and to oblige your King in the highest degree, (an Action
 “ certainly of the greatest Piety, Prudence, and Honour,) such an opportunity as per-
 “ haps no Subject before you ever had, or after you shal ever have; to which there is no
 “ more required, but that you joyn with me heartily and really in the feeling of those
 “ things which we have both professed constantly to be our only aims. Let Us do this,
 “ and if any shall be so foolishly unnatural, as to oppose their Kings, their Countries,
 “ and their own Good, We will make them happy (by Gods blessing) even against their
 “ wills: The only impediment can be want of mutual confidence, which I promise you
 “ on my Part, as I have endeavoured to prepare it on yours, by my Letter to *Hertford*
 “ from *Evesham*; I hope this will perfect it, when (as I here do) I shal have engaged to
 “ you the Word of a King, that you joyning with Me in that blessed work, I shal give both
 “ to you and your Army such eminent marks of my confidence and value as shal not
 “ leave a room for the least distrust among you, either to the publike or your selfe, unto
 “ whom I shal then be

Liskard, August 6. 1644.

Your faithfull Friend
C. R.

To this as a Postscript, he adjoyned

“ That if he liked of that, he should hearken to the Bearer, whom he had fully intrusted with particulars; but it would admit of no delay.

Thus a King lues to his Subject for Peace, and to a Subject too that was now almost in his Power; nor went this Letter alone, but on the eighth of August was seconded by one from the chief Commanders of the Army, who by his Majesties leave subscribed a Letter to him to confirm his Majesties Intentions, and assure him of their Engagement also. Telling him, “ That they need not repeat the many gracious Promises and Endeavours of this Majesty for Peace, so solemnly protested in the presence of God and
 “ Man, that they wondered how he most scrupulous could doubt in the least of their performance. That they must tell his Lordship, that they bore Arms only to defend
 “ his Majesties known Rights, the Laws of the Kingdom, the Liberty of the Subject,
 “ the Privilege of Parliament, and the true Protestant Religion, against Popery and
 “ Popish Innovations. That this being the professed cause of his taking Arms, they were
 “ confident they should not by an unnatural War weaken the main strength of the King-
 “ dom,

dom, and advance the designs of their common Enemies. That on the Faith of Subjects, the Honour and Reputation of Gentlemen and Souldiers, they would with their lives maintain whatever His Majesty should publicly promise in order to a bloodless Peace. That it should not be in the power of any private person to divert this their resolution; and therefore they expected the same from him. That if this their proffer were neglected, which they made neither in fear of his power, nor distrust of their own, what calamities should oppress posterity would ly heave upon the souls and consciences of those who declined this Overture. That therefore they desired his Lordship, with six others, would meet their Generall (at such an indifferent place as he should think fit) attended by as many: Or, if that it were thought inconvenient that he should come in person, then to send six of his to meet so many of theirs, to consider of an Accommodation; they engaging their Faiths and Honours for the security of him or those should come from him, and expected the like for theirs. Concluding, That if this were refused, they should hold themselves justified before God and Man, however the successe proved.

But this prevailed nothing; for to his Majesties Letter he returned no answer, and to this a Negative: Whereupon his Majesty drew still his Army nigher, possessing the Port of Foy, so that no Provisions could come to him by Sea, and at Land his Majesties Army lay round about them, and still getting ground upon them, till at last they gained from them the Creek of *Mimibille*, and *St. Blases Bay*, by which it was possible, though very improbable, that some Provisions might come to them by Sea. However, by possessing those places (which was done by General *Goring* with a party of Horse, and *Thomas Bassett* with fifteen hundred Foot, of Prince *Maurice* his Army) they reduced them to greater straits by keeping their Horse and Foot close together, which before had some room to ramble. This put them to that distresse, that *William Balfore* Essex Horse with two thousand five hundred Horse, got the next morning before day between two of His Majesties Quarters, and though they were pursued by His Majesties Horse, yet they escaped to *Saltish*, and had well nigh surprized *Edward Wallgrave's* Brigades; but he having pretty timely notice, got his men together, flanked them, slew one hundred, and took Major *Abercromy* and several others prisoners: The rest escaped, notwithstanding General *Goring* with most of the Horse had Order to pursue them, and notice was given to all the Forces in the Southern parts to meet them in the Front. The Horse gone, the Foot Army drew out on Saturday, and by eight a clock in the morning marched away towards *Foy*; the King presently following them, & possessing the Bridge and Town of *Leisthiel*, advanced the Hill, where he found two pieces of Cannon, and about a mile farther three or four more, with some Powder and Ammunition, which their fearfull haste had caused them to leave behind. Two miles from *Leisthiel* his Majesty fell in their Rear, and from hedge to hedge forced them to a hasty and disorderly Retreat; but at length, encouraged by the advantage of an Inclosure, they made a stand, and with those Horse which they had left, regained some Fields which they had before been forced from, till the King sent Captain *Brett* with the Queens Troop, who in his Majesties view made them retire, with the loss onely of four men, and himself shot in the arm; for which service he was immediately Knighted by the King. The Kings want of Horse, and the coming on of the night, were the only preservers of them from an utter destruction, in the opinion of the most. That night the General *Essex*, with the Lords *Roberts* and others, escaped away in a little Boat to *Plymouth*, deserting the Army; and the next day

1644. day Lieutenant Colonel *Butler* (who had formerly been taken Prisoner at the Lord *Mohuns* House, and afterwards exchanged for sir *John Digby*) Lieutenant Colonel to *Essex*'s own Regiment, came to desire a Parley; which being accepted, and Hostages on either side delivered, the Treaty began the same evening in the Kings Quarters, by *Prince Maurice*, the Earl of *Brainford*, Lord General, and the Lord *Digby*, one of the Kings part, and Colonel *Barkley*, Colonel *Whitchcott*, and Colonel *Butler*, on the other; and was at length concluded on these Articles:

1. That all the Officers and Souldiers, as well Horse as Foot, under the command of the Earl of *Essex*, being at the conclusion of the Treaty on the West side of the River *Foy*, should on the morrow, being the second of September, deliver up near the old Castle in their own Quarters, all Arms offensive and defensive, as also all their Canon and Train of Artillery, with all Carriages, Necessaries and Materials thereunto belonging, and all Powder, Bullet, March, and Ammunition whatsoever, unto such Officers as the General of his Majesties Artillery should appoint to receive the same; except only the Swords and Pistols of all Officers above the degree of a Corporal.

2. That immediately after the delivery of the said Arms, &c. all Officers and Souldiers, both of Horse & Foot, of the said army, shal march out of their Quarters to *Leishiehl*, with the colours both of horse & foot, Trüpets & Drums; all Officers above the degree of Serjeants, to take with them such Horses and Servants as properly belong unto themselves; as also all reformed Officers their Horses and Arms, not exceeding the number of fifty; And likewise all their Bag and Baggage, and Waggons with their Teams of Horses properly belonging to the said Officers.

3. That they shal have a safe convoy of an hundred Horse from their Quarters to *Leishiehl*, and thence in their March the nearest convenient way to *Pool* and *Warham*; provided that they secure the said Convoys return to *Bridgewater*, or his Majesties Army; and that in their March they touch not any Garrison.

4. That in case they shal march from *Pool* to any other place by land, that neither they nor any of them shal bear Arms more than is allowed in this Agreement, nor do any Hostile Act until they come to *South Hampton* or *Portsmouth*.

5. That all sick and wounded Officers or Souldiers of that Army, not able to march, should be left at *Foy*, and there secured from any violence to their Persons and Goods, & care taken of them till they could be sent to *Plymouth*.

6. That all Officers and Souldiers of that Army, for the better conveniency of their march, should be permitted to receive all such Money, Provision of Victuals, and other Accommodations as they should be able to procure from *Plymouth*; to which end a Pass should be granted for any persons, not exceeding twelve, whom they should send for the same.

7. It is agreed, That there be no inviting of Souldiers, but that such as will voluntarily come to his Majesties Service, shall not be hindered.

And according to these Articles. His Majesty had delivered up to him all the Train of Artillery, consisting of 49 brasse Piece of Ordnance (such those taken before) two hundred and odd Barrels of Gunpowder, with Match and Ball proportionable, seven hundred Carriages, and betwixt eight and nine thousand Arms; many of the Common Souldiers deserted their Officers, and voluntarily offered their service to his Majesty. That the loss of this Army proceeded either out of the fear or cowardice of the

of Great Britain and Ireland.

119

1644.

Parliaments General *Essex*, I am not of opinion (though many then were) for if he durst fight at any time (as all the world knows he has done, and bravely too) he durst fight now, his Army being certainly equal, if not superiour to the Kings; and for the being reduced into those streights, he might have avoided it, if he had pleased, by keeping in the open Countrey of *Devonshire*, where he might well have kept the Field, and have put the King to it in a Battel; but 'tis rather to be supposed, that finding more of the intentions of those who managed the design in the Houle of Commons, than had at first been imparted to him, he saw that no way but keeping things in an equal ballance, would bring the leading Members of both Houles to a compliance with the King in whatsoever peaceable Propositions he should make to them, and therefore had not only now, but before, let slip occasions of advancing the Parliaments Affairs to too high a pitch; witnesse his drawing his Forces off from *Reading to London* (before spoken of) when he had so fair an opportunity to march directly to *Oxford*. And his Letters to the Parliament, to send to the King Petitions for peace, after *Waller's* Defeat at *Lands-Downe*; for which it was motioned in the House, that he should lay down his Command; and not only so, but several abuses and affronts put upon him: so now the Earl of *Newcastle's* Army being routed at *Marston-Moore*, whereby the whole North was like to fall into the Parliaments hands; to counter-balance it, he would settle the King in full possession of the West; which since he could not do with Honour, by complying with the Kings, and the Officers of his Armies Letters, he brought himself into such necessities as might very well colour his shifing for himself; and leaving his Foot to compound with the King, his Horse being before escaped.

Message for Peace.

The King, notwithstanding this signal Victory, yet being wholly inclined to peace, he sends this Message to the two Houles at *Westminster*, directing it, To the Lords and Commons Assembled in Parliament.

C. R.

IT having pleased God in so eminent a manner lately to bless our Armies in these parts with success, We do not so much joy in that blessing for any other consideration; on, as for the hope We have it may be a means to make others lay to heart, as We do, the miseries brought and continued upon our Kingdoms by this unnatural War, and that it may open your ears, and dispose your mind to imbrace these Offers of peace and Reconciliation, which have been so oft and so earnestly made unto you by Us; and from the constant and firm endeavours of which, We are resolved never to desist. In pursuance whereof, We do upon this occasion conjure you to take into consideration on Our too long neglected Message of the fourth of July from *Evesham*, which We again renew unto you: and that you will speedily send such an Answer thereunto, as may shew unto Our poor Subjects some light of deliverance from their present calamities, by a happy Accommodation: towards which, We do here engage the Word of a King; to make good all these things which We have herein promised, and really to endeavour a happy conclusion of this Treaty. And so God direct you in the ways of peace. Given at Our Court at *Whitehall*, Septemb. 8. 1644.

But neither this Message, nor several others, could procure a Treaty till January following, nor that to any effect, as in due time will appear, after this Victory the King took several Garrisons, at *Ilsecombe*, *Barstable*, and *Shalsh*, and spent so much time in

1644. "the Siege of Plymouth, and perfecting the Western Association, that Essex got again in the head of an Army; so that he lost almost as fair an opportunity of marching up to London, as he had when he set down first to the Siege of Gloucester.

*A heavenly
speech of his
Majesty.*

We must not here be unmindfull of that Heavenly Speech of his Majesties in his march down into Cornwall in pursuit of the Earl of Essex, when one of the Carriage brake in the passage of a long narrow lane, and so gave his Majesty a stop when it rained as fast as it could pour: some that were near about him offering to cut him a way throw the hedges, he refused, resolving to stay while the Carriage was mended: Whereupon some of them seeming to admire at his patience, He pulling off his Hat, mildly made answer, *That as God had given him affliction to exercise his patience, so he had given him patience to bear his afflictions.* Nor must we among these Martial Transactions forget the Queen, who arriving safely at Exeter (after she had parted from the King at Abingdon, where she received her last farewell of him) was there on the 16th of June delivered of a fair Princess (whose Beauty and Endowments, now she is come to age, are not to be matcht by any Princess in Christendome) whom She christened by the name of *Henrietta*, and as soon as she had passed over the infirmities of Child-bearing (having committed the charge of the Infant to the Lady Dalkeith, Daughter to Sir Edward Villers, half Brother to the Duke of Buckingham, and Wife to the Lord Dalkeith, eldest Son to the Lord Morton) she took shipping (according to Instructions from the King) at Pendennis Castle, the fifteenth of July, there to negotiate his Majesties Affairs, or at least to continue in the Court of the King her Brother, till She might return with Honour and Safety.

CHAP. LIX.

The Battel of Marston-Moor. York surrendered to the Parliament.

THe taking of Selby by Sir Thomas Fairfax, occasioned the Marquess of Newcastle (who with his Army had till that time kept the Scots at a bay, and not permitted them to cross the River *Tyne*, or at least not to pass much farther) to advance towards York for the preservation of that City, whom the Scots followed close at the heels, and so came unfought with into *Yorkshire* (though Sir Marmaduke Langdale had very often been earnest with the Marquess to give them Battel, but was therein alwayes thwarted by General King, an old experienced Souldier, who came over with the Queen from Holland, and was by the King recommended to the Marquess, and he by him guided in all undertakings; though being a Scot by Nation, he had been far more fitly employed in the Kings own Army than against his Countrymen;) whither the Scots being come, joynt their Forces together with the Earl of Manchester and the Lord Ferdinando Fairfax (Generals for the Parliament in those Northern Counties) in the Siege of York, which Prince Rupert advanced out of *Shropshire* to raise (in his way relieving Latham-House, and taking *Stowford*, *Bolton*, and *Liverpoole*) and on the second of July comes to *Knaresborough*, within fourteen miles of the City, and the next morning advancing over Burrough-bridge, and so along the River to York; upon whose approaches the Enemies raised their Siege and departed, being followed in the Rear by the besieged, who killed some and took some Provisions. The next day, being the second of July Prince Rupert follows them, resolving to give them Battel by noon, but before he could reach

of Great Britain and Ireland.

121

1641.

reach them it was almost leven a cleck; when, not at all considering the advantage of ground which the Parliaments Forces had gotten (standing on a Corn Field on the corner of *Marston-Moore*, about four miles from *Tork*) fell on upon their Horse, and that so successfully, that he not only got the ground and routed the right Wing of Horse, but likewise disordered their main Battel, posselt their Cannon, and forced the three Generals out of the Field in a hasty and disorderly Retreat: But being too furious, and pursuing his advantage (which he knew better how to get than keep) too far, his Souldiers likewise too busily pillaging, Collonel *Cromwel*, Lieutenant General of the Horse to the Earl of *Manchester*, who had only made a fair Retreat in the heat of the Fight, took the occasion, and Rallying the broken Foct, gave the Prince a second Charge, and pressed him so hard, that he turned the whole fortune of the day, and forced him to a disorderly flight; for which brave exploit *Cromwel* was first cried up, and teamed by his Party, *The Saviour of the three Kingdoms*. In this Battel there were more slain than in any Battel fought in these Civil Wars: for if we may believe the Gentry of the Countrey thereabouts (who had Order to bury the dead) no lesse than eight thousand bodies were found upon the place. Sir *Charles Lucas*, Major General *Porter*, and Col. *Tilliard*, with several others on the Kings party were taken prisoners. 'Tis said that General *King* in this battel seemed to carry a kind of affection to his Countrey men, and charged so faintly, that he not only lost what advantage the Prince had gotten, but likewise gave the enemy opportunity and time to Rally to the ruine of all. This Defeat utterly lost the North to the King, for soon after the Victory, the Enemy being returned to the siege of *Tork*, which though Prince *Rupert* relieved with some Cattel, yet he supplied them not either with Powder or Ammunition; so that not being able to hold out any longer, and the enemy resolved on a general storm, and no hopes to be had of any relief, it was by the Governour Sir *Thomas Glenham*, on the sixteenth of July, a just fortnight after the fight, surrendered upon honorable Terms: viz.

Tork sur-

1. That all Officers and Souldiers should march out on horse-back, with their Arms, rendered.
2. That they should have a convoy as far as *Skipton*.
3. That the sick and wounded should have liberty to depart at pleasure.
4. That no Souldier should be plundered or enticed away.
5. That that the City should freely enjoy their Trade.
6. That the Garrison to be placed there by the Parliament, be two parts of three, *Torkshire* men.
7. That the City bear charges with the Countrey as formerly usual.
8. That they dispose and enjoy their Estates according to the Laws of the Land without molestation.
9. That the Gentlemen there should have liberty to dispose and carry away their goods at pleasure.
10. That the Churches should not be defaced, no man plundered, and Justice to be administered by the Magistrate as before.
11. That all persons whose habitations were within the City, though then absent, should enjoy the benefit of these Articles. And accordingly the City was delivered up to the Parliament, who by the taking of it, soon after possessed themselves of all the North.

Q

After

The Civill Warres

After this Fight the Marquesse of *Newcastle*, with his two sons and his Brother *Sir Charles Cavendish*, General *King*, the Lord *Falconbridge*, the Lord *Widdrington*, the Earl of *Cranworth*, the Bishop of *Derry*, *Sir Edward Widdrington*, Col. *Garnaby*, Col. *Basset*, Col. *Morgan*, *Sir William Vasafor*, and *Sir Francis Mackworth*, with about eighty more of the Kings party, left the Kingdom, and landed at *Hamburg*.

CHAP. LX.

The Siege of Dennington Castle by the Parliaments Forces ; The Earl of Northampton raises Banbury Siege, and defeats the Besiegers.

WHilst the King was busie inclosing *Essex* on the West, *Middleton*, a Scot, Lieutinant General to *Sir William Waller*, with three thousand Horse and Foot comes before *Dennington* Castle, near *Newbury* in *Barkeshire*, on the first of *August*; and having, after two dayes surrounding the Garrison, gained a Barn from them, he then sends a Summons to Lieutinant Collonel *Bloy*'s the Governour, demanding him to render the Castle of *Dennington* to him for the use of King and Parliament: That if he pleased to entertain a Treaty he should have very honourable conditions; his desire to spare blood made him propole this, to which he desired an Answer, and had one immediately returned him from the Governour: Telling him, That he was entrusted by his Majesties special Command, and had not yet learned to obey any other than his Sovereign; That to spare blood he might do what he pleased, but himself, and those that were with him, were fully resolved freely to venture theirs in maintaining what they were there intrusted with; Whereupon the Assailants advanced to the storm, and their Foot with scaling Ladders fell on in three places with a great deal of courage and boldnesse, but were as courageously repulsed and forced to retreat to their Body of Horse, with the loss of one Collonel, one Serjeant Major, eight Captains, some Ensigns, and fourscore and seven Common Souldiers, besides many wounded. The storm lasted six hours, yet the loss of the Defendants was very inconsiderable, not an Officer slain, and the Common Souldiers not many. The number of dead bodies lying under the Castle Wall, to which the Governour could not give decent burial, he in civility acquaints *Middleton*, That charity required him to give him notice, that he had there many bodies of his which he could not accommodate with Christian burial, and many wounded which he could not dispose of, but he might, and therefore desired his Answer, which like a very Presbyter, or worse, he returns thus: That he conceived no inherent holiness to be in any place or burial, that all earth was fit for that use; but for the wounded men, Prisoners, if the Governour pleased to exchange them for their qualities, it should be taken as a curtesie. This repulse had given *Middleton* enough of this Castle, and therefore away he marches towards the West after *Essex*, but in his way at *Bridge-water* was met with by *Sir Francis Dorrington*, and *Sir William Courtney*, who having intelligence of his coming lined some advantageous hedges, and then sent some carriages towards the King in *Cornwal* plentifully guarded, as a bait, which being easily seized, and he hastening with them through a narrow Lane he was surprized by the shot thundering from the Hedges, and facing about was charged by the two Knights, his Party routed; many killed and taken, and he with the remnant forced to retreat to *Sherburne* in *Dorsetshire*, where meeting with a Troop of the Kings Horse he fell upon them and routed

of Great Britain and Ireland.

123

1644.

sented them, in part revenging his former losse. But let us return to *Dennington Castle*, which though left by *Middleton*, yet was not long without a Besieger. On the twenty ninth of *September* comes *Collonel Horton*, Adjutant General to Serjeant Major General *Brown*, who quick and short, immediatly summons the Governour, demanding the Castle for the use of King and Parliament, which if he denied, at his perill; but Lievtenant *Collonel Bloys* answers him much to the same sence as he had done *Middleton*, telling him, That he should keep that place wherewith he was intrusted by his Majesty in despite of all his Forces, so much contemning the peril he mentioned, that he should be ashamed, were he in extremity, to render his Castle to so inconsiderable a Party; Whereupon *Horton* makes his battery from the foot of the Hill, continuing to ply his great shot without ceasing for twelve dayes and twelve nights, till at length he beats down three Towers, and a small part of the Wall, when an additional Force of two Regiments of Foot, and a Regiment of Horse came to him, whereupon a second summons is sent in to the Governour, but he continues resolute, that neither their new addition of Forces, nor their high Menaces should deter him, nor the rest of those honest men with him, from their Loyalty to their Sovereign, but they were resolved to defend the place to the uttermost of their power; and so they did, for though the Earl of *Manchester*, (in whose Army was the Governours Brother) came himself with his Force, yet he sent them word, that neither the Earl nor all his Forces should ever deter him from his fidelity to his Sovereign, nor would he entertain any Parley with his Brother or any other, but when the Besiegers having to little purpose plyed their Artillery on that side of the Castle, and now removed their Battery to the other side, making their approaches by way of *Saps*; he sallied out upon them, and removed them from their Trenches, killed a Lievtenant Collonely, and some others, and so returned with booty, after which the Enemy continued their Battery but two dayes; for hearing that the Kings Army, upon its return from the West, drew nigh, they thought it the safest course to raise the Siege of themselves, before they were forced to it, which they did, and each party retired to their several quarters.

The Parliaments Forces had long besieged *Banbury Castle*, which was as resolutely Banbury defended for the King by Sir *William Compton*, brother to the Earl of *Northampton*, who had resolutely answered Mr. *Fines* his Summons (who came before it with a supply of Forces and Artillery on the 27th. of *August*, to assist those who had lain before it from the 19th. of *June*.) That they kept that Castle for their Sovereign, and would not deliver it so long as one man was left alive in it. Whereupon *Fines* plaid his Batteries for three dayes, but to little purpose; and in vain was it found to attempt a Mine, by reason of the many Water-springs, he therefore assayed to drain the Moat, which he in some part effected, though with great losse; whereupon a second Summons was sent, to which Sir *William* returned no Answer, save only by word of mouth: telling the Trumpeter, That he had formerly answered them; and therefore wondred they would send again. Whereupon they fiercely continued their Batteries, and plyed their Granadoes so thick, that at length they made a breach upon the West Wall of the outward Line of the Castle, the upper part near thirty yards in length, which made them resolve upon a Storme, and on the three and twentieth of *September*, about nine a clock in the Morning they fell on; their Troopers with Sword and Pistol, twelve out of every Troop being forced to the Storme, for the Foot were not so hardy as to adventure; so on these came with burthens

*Banbury
Castle storm-
ed.*

The Civill Warres

on their backs, which they cast into the Moat, the better to passe the Mud, and assaulted the Castle in five severall places at once, the greatest number attempted the Breach, the rest in other parts brought scalding Ladders, but in vain, for they could not be able to rear one, but were cut off by the great and small shot; nor had they that assaulted the breach any better successe, but were beaten off with very great losse. Towards evening they sent a Trumpeter to desire burial of their dead, upon condition, that those fallen within Pistoll shot might be stripped by the Garrison, which was easily granted. After this Repulse they yet continued obstinate (notwithstanding some Sallies made by the besieged to the Enemies losse) till such time as the Earl of *Northampton*, with a good strength of Horse, came from the Kings Rendezvous near *Newbury*, and at *Adderbury* joyned with *Collonel Gage* from *Oxford* with a good Party of Horse and Foot, and so together advanced, and came to *Banbury* on the five and twentieth of *October*, where they found *Collonel Fines* his Horse drawn up in severall Bodies on the fourth side of the Town, who having stood a while and faced the Earl, Retreated to the West side towards *Hanwell*, and their Foot coming out of the Town in some disorder, followed the Horse, their Baggage and Artillery being sent before; Whereupon the Earl of *Northampton* pursues them with three Regiments of Horse, the Earl of *Brainford*, the Lord *Wilmot*, and his own, together with some Dragoons, and sends *Collonel Webb* with most of the *Oxford* Horse round about *Crowthill*, to face or charge them in the flanke, whilst *Collonel Gage* with the Foot enters and relieves *Banbury* Castle. Near *Hanwell* the Earl of *Northampton* overtakes his Enemies, and having first drawn out a Forlorn hope under *Captain Brown*, (which were valiantly opposed, and together with the *Oxford* Horse beaten back to their main body) the Charge began, and after a pretty sharp dispute the Enemy Retreated somewhat hastily towards *Hanwell*, and being come near the Town, dispersed some to the Town, others to *Cropey*, *Broughton*, and *Compton*, leaving their Carriages, one Field-piece and three Waggons of Arms and Ammunition, which they sent to *Banbury* Castle. In this encounter the Earl of *Northampton* lost *Captain Brown*, and *Captain Tilly*; The Earl of *Brainford* was shot in the mouth, and several others of quality wounded, and many Common Souldiers slain or hurt; but the losse of the Enemies Side was far greater, though not in quality, yet in quantity: *Captain Vint*, *Lieutenant Vernon*, and four Cornets of Horse taken Prisoners, besides Common Souldiers, six Barrels of Powder, with March and Shot proportionable.

CHAP. LXI.

Massey defeats Collonel Myn, His Victory at Ast Ferry, Monmouth betrayed to him.

Lieutenant *Collonel Massey* Governour of *Gloucester*, and Commander in chief under the Earl of *Stamford* of that association for the Parliament, having discovered that some Forces of the Kings out of *Wales* were to passe over *Ast*, advanced thither with a considerable Force, and had well nigh light on the Lord *Herbert*; but in his absence *Collonel Myn*, who commanded the English Regiment come last out of *Ireland*, an active person for the King, had a design that the Forces of *Hereford* and *Worcestershire* should joyn in *Caseltane*, and so march to the very Gates of *Gloucester*; of which *Massey* having advice hastens homewards, from whence he sends for two hundred and twenty *Musquetiers*, and one hundred more from *Tenbury* to cope with *Myn*, upon whole quick

quick march his business seemed to rely, viz. to encounter him before he should be joyned with the *Herefordshire* and *Worcestershire* Forces, which haste, though there happened an accident to retard, (so wit, the falling out of their two Majors, *Hammond* and *Gray* the last being killed by the first, for his having given him a box on the ear; whereupon his Souldiers grew so earnest for revenge, and the others for defence of it, that the Governour had much ado to pacifie them) yet he got time enough to accomplish his design; for the next morning encountering Collonel *Myn* at *Redmarly*, suddenly charging him, he forced him from his Ambuscadoes, brake his main Body, slew him upon the place, with one hundred and seventy more, and took Major *Pruller*, seven Captains, four Lieutenants, five Ensigns, twelve Serjeants, and near two hundred and fifty common Souldiers prisoners. Thus was *Myns* whole Body lost for want of the timely joyning of the *Herefordshire* and *Worcestershire* Forces with him, who yet were not so far off, but that Lieutenent Collonel *Pastil*, who commanded a fresh Party of one hundred and fifty Horse, and five hundred Foot, came posting just at the cloie of the Fight to bring news of their arrival, but being met by *Masseys* Scouts, was wounded and taken; yet their coming up after the end of the Fight, interrupted some straglers, but the whole Body got home with the prisoners. *Massey* here shewed himself so much a Gentleman, as to take Collonel *Myns* body off the place & give it Christian Burial, this defeat almost ruin'd all the Kings power in South *Wales*, which was yet further effected by the victory which *Massey* shortly after got at *Ast Ferry* Prince *Rupert*, after his defeat at *Marston-moor*, lay for some time with his Army stragling between *Shrewsbury* and *Worcester*, till at length drawing again into a Body fit for action, he makes his General Rendezvous near *Hereford*, and from thence sends a Party of five hundred Horse and Foot to fortifie *Beachly* for a standing Guard, a gut of Land tending between *severn* and *Wye*, the only commodious passage between *Wales*, *Bristol* and the West of *England*; *Massey* having advice of this, four dayes after the Cavaliers first fortifying of it, ere they had half entrenched a Line from one River to the other, the other part being notwithstanding well guarded with a high quickset hedge, lined with Musqueteers, with a fair Meadow reintrrenched; *Massey* comes near, draws up his Forces, resolved to storm the entrance which the Cavaliers had left for making a Draw-bridge; and therefore selects ten Musqueteers out of the Forlorne Hope to creep along the Hedges, and thence to fall upon the very breach; these gave the first Alarm to the intrenched who spent their first Shot in vain, and ere they could recharge *Massey's* Forlorne Hope fell on, & the reserve following ran up the works, and rushed in among them; those who were within did their parts gallantly, but were over-powred, and lo! some slain, and some Prisoners, the rest elcaped to their Boats. And once more did *Massey* hinder the Fortification of this place when designed by Collonel *Gervard*, and sir *John Winter* himself in this enterprize being hard put to it, having his head-peace knockt off his Head by the butt end of a Musket; but that which most of all prejudiced the Kings power in South *Wales* was the betraying of *Monmouth*, to *Massey*, by Lieutenent Collonel *Kirle*, Lieutenent Collonel to Collonel *Holtby*, Governour there for the King; long it seems he had intended Treachery, but his cowardly nature permitted him not to venture the endangering of his own Person; but now taking *Massey* occasion of *Massey's* quartering near *Monmouth*, (with whom it seems he had kept correspondence) he thus effected his design: *Massey* feigns a Post from *Glocester* side, requiring his sudden return thitherward to suppress the Enemy, who out of *Bristol* and *Barkley* plun-

Beachly to be fortified, hindered by Massey.

1644.

Monmouth
retaken for
the King.

plundered the country; This message they so ordered that it might come into the hands of one Mr. *Hollis* of *High-meddow*, (an honest Cavalier) whom they hoped would immediately post the News to the Governour of *Monmouth*, which accordingly he did; *Massey* upon this feignedly marches towards *Glocester*, but three miles on his way, lodges his Forces in a thicket of the Forrest, sending his Scouts abroad, preventing the discovery of any in case *Kirle* should prove honest to him; *Kirle* immediately, upon advice of *Massey's* March, is sent out with his Troop of Horse to fall upon the Rear of his Retreat; him *Massey* surprizes in *High-meddow* House with all his Horse, save only one Cornet, who making his escape, gave the Alarm to the Town, towards which *Massey* marches with all possible silence, and finding the Alarm given, had some doubt of *Kirle's* intention to betray them all; and therefore, though with infinite Oaths he denied it, yet was he mistrusted and a strict eye had over him: However *Massey* entrusts him with one hundred horse, to march to *Monmouth*, now upon their guard expecting an Enemy, *Kirle* coming to the Draw-bridge, pretended a return with many prisoners, perfwaded the guards, and so prevailed with Oaths to the Officers, that the Governour commanded the Draw bridge to be let down, and the bridge being drawn up again is kept but by a weak Guard, when *Kirle* and his Company declare themselves, over-power the Guard, and make good the bridge, at which *Massey* enters with his Force, and subdues the Town in a moment; put some to the Sword and taking others Prisoners, among which were a Major, three Captains, and other Officers, the Governour escaped in the dark of the night this Town being the Key of South-Wales, and the only enter course for the Kings Forces between the West Wales and the Northern parts, was a great losse to the King; but it was soon after retaken: For *Massey* having, to hinder Collonel *Gerrards* March with the Welch into *Oxfordshire*, to joyn with the Kings Forces, drawn of his Regiment of Horse, so that no more than six hundred were left there in Garrison, under the command of Major *Throckmorton*, who thinking to do some brave Action in the beginning of his Government, draws out three hundred Horse and Foot to surprize *Cheapslow* Castle; which news being brought to the Lord *Charles Sommerset*, Son to the Marquesse of *Worcester*, at *Ragland* Castle, taking one hundred and fifty Horse from thence, and assisted by some Foot from the Neighbouring Garrisons which held for the King, fell upon the Town, now left almost naked, on Tuesday morning, the nineteenth of November, and possesses it for the King, before *Throckmorton*, who was well onward towards his *Chepslow* design, had notice of his advance.

CHAP. LXII.

The Siege of Bazing House.

THE House of *Bazing*, belonging to the Marquesse of *Winchester*, was a House, which for state and strength none of this Nation surpassed; hither the Marquesse himself retired at the beginning of the War, to whom the King sends one hundred Musketeers under the command of Collonel *Peak*, in August 1643. when they were first disturbed by Colonel *Harvey*, and Colonel *Norton*, who were beaten off to *Farnham*, & afterwards the House was recruited with an hundred and fifty Foot more, under the command of Colonel *Roden*, with Commission to the Marquesse to raise what Force hee thought fitting for the defence of the Place: His next Disturber was Sir *William Walter* with

with his new Levies, the sixth of November last year, who after nine daies Siege, and three times storming, he was forced to retreat with dishonour to *Farnham*, after which the House had such time to be fortified that it grew a great annoyance to the Parliaments Garrisons all about, and was now so strong that it was thought more safe to starve it than attempt it by force; and therefore now this year comes Colonel *Norton* with a Regiment of Horse and Dragoons, and quarters at *Bazing-Stoak*, a mile distant from the House, after him comes Colonel *Morley's* Blew Regiment from *Sussex*, Sr. *Richard Onslow* with five Ensigns of Red from *Surrey*, and two more of white from *Farnham*, who are quartered at *Sherfield*, as *Onslow* was appointed *Anwel* House for his Stand, whilst *Morley*, with *Nortons* Horse, lies at *Bazing-Stoak*, often skirmishing with the Castle-Forces, most commonly to his losse, till finding the advantage they gave the besieged by giving them so much scope, contract their foot quarters into the Lane, Park and Close, and their Horse on *Cowdrey's Down* where they begin to intrinck; but *Onslow* (who had first planted a Demy-culverin in the Lane) had the fortune to be first fallen on by the Garrison, who forced him to retreat, dismounted his Culverin, killed some, & took some Prisoners, and had done more, had not four Companies of Red come to his Rescue, Crookback'd *Morley* at the first drawing nigher to the House, in the absence of Colonel *Norton*, sends a summons to the Marquess: Telling him, "That to avoid effusion of Blood he sent his Lordship that Summons to demand *Bazing* House for the use of the King and Parliaments, That if that were refused, the ensuing inconvenience would rest upon his Lordship, whose speedy answer hee desired. To this the Marquess suddenly replies, "That it was a crooked Demand, and should receive a suitable Answer, That he kept the House in the Right of his Sovereign, and should do so in despite of his Forces; That he would reserve his Letter in Testimony of his Rebellion. Whereupon *Morley* plaies upon the House with the great Guns, whilst Eight of the Garrison sallie out and bring in six Beasts just from under *Onslows* Works, and soon after *Norton* returns from Sr. *William Wallers* defeat at *Cropey* Bridge, who plying the Siege, to omit the several Batteries and Salleys, they at length reduced them to that necessity, that some Traiterous cowards fled away to the Enemy, and acquainted them, That the Garrison had no other Beverage left but Water, nor any Bread but Pease and Oats, all their other Corn being spent, which makes Colonel *Norton* send a second Summons to the Marquess, demanding him in the Name, and by the Authority of Parliament of *England* to surrender the House of *Bazing* to him: To this the Noble Marquess returns answer, that whereas the pretended Authority of Parliament, he would have him know, that without the King there could be no Parliament; that he kept that place by His Majestis Commission, without whole command he was resolved not to surrender it to any pretender whatsoever; Whereupon the Assailers continue their Batteries very fiercely, and the besieged their fortunate Salleys, gaining *Onslows* redoubt, drawing off his Demy-culverin, and filling their Goals within with Prisoners, whilst in the mean time they yet earnestly expect the promised Relief from *Oxford*; in stead of which, Sir *William Waller* with additional Forces comes to the reinforcement of the Besiegers, but having endured some losse by their Salleys draws off, and soon after comes Colonel *Gage* with fourteen hundred Foot, and some Dragoons from *Oxford*, forces *Norton* to Retreat through *Bazing-Stoak*, whilst the Besieged by a Salley clear the Grange quarter, and so got in the Relief, which consisted of many Horse Loads of powder and March, a Drove

1644.

Lieutenant
Col. Jonson
dies.

of Cattel, besides Plunder from *Basing Stook*, fourteen Barrells of Powder, one hundred Arms, and good Provisions of all sorts, taken from the Enemy in their Retreat to *Chinham*; which done, *Gage* returns to *Oxford*, and the Enemy again to the Siege, on whom the Garrison, now encouraged, make severall advantageous Sallics, in one of which Lieutenant Colonel *Johnson*, both a Souldier and Physitian, received a Shot in the shoulder, which putting him into a Fever, was his death, but at length the besiegers, wearied with continual Sallics and Sickneses, after four and twenty Weeks Leaguer, on the sixteenth of *November* raise the Siege and depart, having advice that Colonel Sir *Henry Gage* was coming with one thousand Horse to bring some supplies of Ammunition and Provision, who now entred without any opposition, bringing Refreshment to the Souldiers within, who had endured all Extremities incident to want of Provisions and necessaries.

CHAP. LXIII.

The second Newbury Fight.

THE King having spent much time in the West, *Essex* had now got in the head of another Army, and joyned with *Manchester* and *Waller*; on the three and twentieth of *October*, being *Wednesday*, Rendezvouzed in *Aldermanston Park*, and the next night came privately over the Water at a Ford near *Padworth*, and the next morning drew to *Bucklebury Heath*, within five miles of *Newbury*, (whither the King was advanced, from whence they sent out several Parties to have fallen upon the Kings Horse Quarters, which were gallantly repulld by Lieutenant Colonel *Bovill*; whereupon on *Friday*, about twelve a Clock, they drew down their whole Army between *Thatcham* and *Schaw*, where they attempted to force his Majesties Horse Guards at *Schaw*, who thereupon were skirmished with by a body of Prince *Maurice* his Horse, with some loss of men on both sides, when at last they drew back to a Field before *Schaw*, leaving some Foot and Dragoons to dispute the Hill, which being done, till Midnight was kept by *Essex*, who on *Saturday* Morning drew his Canon with four great Bodies of Foot, and some Horse upon it, standing there in *Battalia*, drawing the rest of the Army through *Winterburn*, towards *Boxford*, to have begirt the King; and in pursuance of that design, about a thousand of the Earl of *Manchesters* Forces, and the *London* trained Bands came down the Hill to passe over that part of the River *Kennet* that runs between the Hill and *Newbury*, which they did Eastward, undiscerned of the Kings Foot, who kept a Westward Pass, upon whose backs they advanced, and overpowering them, had almost totally Routed them, when the Sir *Bernard Astley* came up with four hundred Musqueteers, fell on them, and Routed them, and two other Bodies, which hastened to the River to their Relief, the first Routing the second, and all forced to run through the River, where many were drowned; but yet the Earl of *Essex* pursues his design of encompassing the King, and to that purpose about three a clock in the afternoon four thousand of their Horse and Dragoons, with five hundred Pikes, and some Cannon, had advanced to the West side of *Newbury*, where the *Cornish* Foot, the Duke of *Torks* Regiment, commanded by Sir *William St. Leger*, and a Brigade of Prince *Maurice* his *Cornish* Horse, with five small Field-pieces lay, Prince *Maurice* his Brigad at first charged home, and gained ground, but were at length beaten back, whereupon the Foot retreated to the East side of *Spine*, which place they maintained till the Enemy left

Fight on the
West of
Spine.

of Great Britain and Ireland.

129

1644.

left the Field ; but the Guards were left so thin here, that the Enemy gained the Kings five Field-Pieces, which they drew off; and the Kings Horse being beaten off, *Essex* advanced with a Body of five hundred Horse (part of his own Life-Guard) and a sufficient strength of Musquetters betwixt *Newbury* and *Spine*, where the Kings Life-Guard and Sir *Humphrey Bennets* Brigade were drawn up; Major *Leg* was sent with a Party of Horse towards these, but finding them too strong for him retreated; whereupon the other Musquetters advanced on their Right hand towards the River, there being three small inclosures between them and Colonel *Bennet*, made him wheele off, but soon after, his Regiment being in a readinesse, which before it was not, he charged them gallantly, and seconded by the valiant Lord *Bernard Stuart*, who fell upon their Flanks, routed them : and following the Execution, slew the Commander of *Essex* his Life-Guard, and many others; The King losing Captain *Catlin* of Sir *Edward Walgraves* Regiment, and Sir *Edwards* Son dangerously hurt; This was done on the West side of *Fight on the Spine* : on the East, the Enemy having settled three Bodies of Foot in certain Inclosures, west side of advanced over the Ditch with a great Body of Horse, hoping to make their way through *Spine*. the Kings Guards, whereupon General *Goring*, to prevent them, instantly drew up the Earl of *Clevelands* Brigade, and himself, with the Earl, Colonel *Thorahil*, Colonel *Hanmilton*, Colonel *Culpepper*, and Colonel *Stuart* leading them on, suddenly advanced to a Gap where about fourscore of the Enemy were got over, whom he fell upon, and forcing them over the Ditch, followed them; but being over-hasty he somewhat disordered his men, by which means the Enemy slew many, till seconded by a new Body, they forced them to a disorderly Retreat, and slew Major *Hurry*, Kinsman to Colonel *Hurrey*, but with the loss of the valiant old Earl of *Cleveland*, who engaging himself too far, was taken Prisoner.

In the mean time the Earl of *Manchesters* Army, on the North-east of *Newbury* near *Fight near Shaw*, about four a clock in the Afternoon, advanced towards those Guards which were *Shaw*. dispoied by the Lord *Astly*, under the Command of Colonel *George Lisle*, who had appointed Lievtient Collonel *Page* to keep one Mr. *Dolmans* House and Garden, and Sir *Thomas Hooper* with his Dragoons and other Foot to keep the Hedges and Lane. *Manchesters* Horse and Foot, with the *London Trained Bands*, came powing down the Hill, and giving a fierce Charge, worsted Collonel *Lisles* Guards, till Sir *John Brown*, with the Princes Regiment advanced, charged their Foot, and after receiving a charge of a thousand Horse, retreated into the Garden to the Foot, whilst in the mean time Collonel *Thetwel* (with the Reserve of the three hundred of *Lisles* Terria) came up, and joyning with those Musquetters in the Lane, and those other forty which the Parliaments Forces had driven from the Hedge, gave fire on the new-gotten Hedge, and then fell on with the Butt end of their Musquets, forced the others from the Hedge, who for haste left their Colours and two pieces of Cannon behind them, which a Body of their Horse endeavoured to regain, but were forced to Retreat to the Hill; Lievtient Collonel *Page* was in this last charge shot through both his Thighs, and through his Arm. On the Kings side in this part of the Field were slain Sir *Anthony St. Leger*, Lievtient Collonel *Leak*, and Lievtient Collonel *Topping*, with a good number of common Souldiers, but many more of the Enemies. There were likewise some persons of Note wounded on the Kings side, to wit, the Earl of *Brainsford* General, who was shot in the head, Sir *John Greenville*, (Son to Sir *Beville*), Sir *Richard Campsfield*, and

The Civill Warres

an 1 Major *Alford*. This Fight continued four hours, from foure a clock till eight, and the King marched off that night to *Wallingford*, without the least Alarm in his Rear, which staid on the place till past Midnight; the King was here almost surrounded, so that being enforced in that manner to divide his Army, this may as properly be called three Battels as one.

CHAP. LXIV.

Essex summons and assaults Dennington Castle, but in vain; He quits Newbury, which the King possesses; The Parliaments resolutions to new modell their Army; Newcastle taken.

THE next day after the Kings marching off, General *Essex* possessed himself of *Newbury*, and soon after summoned *Dennington Castle*; which the Governour refusing to surrender, he plaid his Batteries, and assaulted the first time, but without successe; he after sends his second and third Summons, and seconded each Summons with a storm, but they all proved ineffectual. This Siege the King had a great desire to remove, and once attempted, but was beaten off, which made the Council of State (a thing the Parliament had some time before erected for the ordering of Military affairs) to give Order: That *Essex* Forces should not draw out of *Newbury* into the Field, lest the King should possess it for his Winter Quarters, but that he should fight the Rear of the Kings Army upon his Retreat, after his attempt for Relief of *Dennington*; Notwithstanding which the King was permitted to Retreat to *Marlborough* without any opposition, and not long after General *Essex* deserted *Newbury*, and went to *Reading*, which the King immediately possessed, and relieved *Dennington Castle*; and *Norton* had writ to the Parliament, that he had received a Warrant from a chief Commander in the Army to raise his Siege from before *Basing*, a thing which he did not expect, yet notwithstanding had obeyed; which things altogether made the Parliament to begin to suspect the earl of *Essex*, and others, and to think that the good management of the Affairs of their Army was much neglected; insomuch that it grew into a high Debate, "Why the Parliaments Forces had permitted His Majesty to relieve *Dennington Castle*, when they had double their Number, and why the Town of *Newbury* was quitted before the Enemy was marched away, the pretence of not fighting before being, "because they would not quit *Newbury*? These, and *Essex* his ill succels before in the West, made them resolve to new modell their Army; and to do it more politically, they do it by degrees: First, making an Order, That no Member of either House should, during the War, enjoy or execute any Office or Command Military or Civil, which had been granted or conferred on any Member of either House, or by any Authority derived from either House; and this Order not long after came out into an Ordinance, containing in sum these Heads: That all and every the Members of either House should be discharged (at the end of forty dayes after passing of the Ordinance) of all their Command, Military or Civil, conferred by the Parliament since the twentieth of November 1640. That all other Governours and Commanders (nor Members) by Land or Sea should continue in their Officers wherein they were intrusted the twentieth of March 1644. Provided and excepted, That Lieutenants and their Deputies, in the several Counties, Cities, and places, or of any *Gustes Rutorum*, or Justices

Ordinance
of self deni-
al.

Justices of Peace, or Sewers, or any Commission of Oyer and Terminer, or Goal-delivery, and also those members of either House, who had Offices by grant from his Majesty before this Parliament, and were by him displaced before the sitting of this Parliament; and had since by the Parliament been restored, should not be discharged from their said Offices, or the profits thereof, but should enjoy the same: By this means were all the Lords, who had any Commands in the Army, discharged of their trust; yet the Parliament, to seem just, publish their resolution to pay them off their Arrears, which they but badly performed when they had once deprived them of their Commands; yet this Ordinance went but slowly forward, for the Lords foresaw the effects of it, and therefore were tedious in their assent, till they were, as it were, forced by the Petitions of the City and several Counties; whereupon they at last assented, and the Commons thereupon sent a Committee to them to congratulate their Concurrence, and to assure them of the Commons real affections and endeavours to support their Lordships in their Honours and Privileges; which expressions were interpreted by some of them to imply as much, as if the whole power of the Lords had rested in the House of Commons, of which they could deprive them at pleasure, then which supposition nothing proved more certain in the end. And so their Lordships having concurred, Sir *Thomas Fairfax*, Son to the Lord *Ferdinando Fairfax*, was appointed General against next Spring, in the Room of the Earl of *Essex*, and most of the great Officers of the Army changed, but only Lieutenant General *Oliver Cromwell*, though a Member of the Commons, was by the Parliament excused, and kept in his Command, notwithstanding this Ordinance of self-denial, for so it was called; but those new ones which were voted to be put in against the next Springs Expedition, were Sir *Thomas Fairfax* Commander in Chief, Major General *Skippon*, the Cities Champion; Colonels of Foot, *Crayford*, *Berkley*, *Montague*, *Alured*, *Holburne*, *Fortescue*, *Ingolesby*, *Pickering*, and *Rainsborough*; Colonels of Horse, *Middleton*, *Graues*, *Sheffield*, *Vermindon*, *Sidney*, *Whalley*, *Lewis*, *Fleetwood*, *Roffiter*, and Sir *Robert Pye*. The like change happened again the next Spring in the Kings Army, for the Lord *Rutten* made Lieutenant General of the Kings Army after the Earl of *Lindseys* death, and by the King first created Earl of *Forth in Scotland*, and afterwards Earl of *Brentford*, for the good Service he did there, was put out of his Employment by a Court contrivement, in favour of Prince *Rupert*, who a little before *Christmas* this Year was declared *Generalissimo* of his Majesties Forces; a man, though perhaps of as great valour as any whatsoever, yet judged then to want both the Age, Experience, and Moderation which so great a trust required. These Alterations in both Armies were in effect the Kings ruine, as hereafter will appear; but let us end this Years Military Affairs in *England* with the Scots taking of the Town of *Newcastle*, which they had long besieged, and at length entered by storm, Sir *John Morley*, the Mayor, and others getting into the Castle, which for want of provisions and necessaries was forced to surrender upon ill conditions, and in it three hundred persons, amongst which were the Lords *Crawford*, *Rae*, and *Maxwell*, who by the Scottish Covenanters were sent to *Edinburgh* to be executed.

CHAP LXV.

The Treaty at Uxbridge.

THE King had as we have mentioned, sent very gracious Messages of peace to the two Houses of Parliament, from *Evisham* and *Tavistock*, after his two signal Victories at *Cropedy-Bridge* over Sir *William Waller*, and at *Leistisbiel* over their Generalissimo *Essex*: and likewise being returned to *Oxford* he had again solicited them to the same effect; and therefore lest the world should think them utterly obstinate, that they might seem at least to have some desires for the good peace and quiet of these Nations what ever they intended; they with the consent of the Commissioners for the Kingdom of *Scotland* (for they were now joyned as one in their affairs) on the 23th of *November* present him with some desires and propositions for a Peace, but such they were as if condescended to, must utterly deprive him of his Rights, Honour and Royalty: And first the begin with themselves and their dear Brethren of *Scotland*, viz.

1. That by an Act of Parliament in each Kingdom respectively, all Oaths, Declarations and Proclamations against both or either Houses of the Parliament of *England*, and the late Convention in *Scotland*, and their proceedings be declared Null.

2. That the King do swear and sign the late Solemn League and Covenant, and injoyne the taking thereof by all Subjects of the three Kingdoms.

3. That he passe a Bill for the utter extirpation of Bishops, according to their late treaty at *Edinburgh*, November 29th 1643.

4. That he confirm all Ordinances for the settling of the assembly of Divines.

5. That the Reformation be settled by act of Parliament, as the Houses shall agree upon according to the Covenant.

6. That Papists should be obliged to abjure and renounce the Pope, Transubstantiation, Purgatory, Images, if not to bee therefore convicted, and severe Laws made against them.

7. That their children should be educated Protestants.

8. That the King would give his Royal assent to several Acts and Bills to be passed, viz. An Act in the Parliaments of both Kingdoms respectively, for confirmation of their Treaties, viz. the large Treaty for coming of the *Scots*, and the settling of *Barwick*, and for *Ireland*, and all other proceedings between the two Kingdoms by Treaties. An Act to avoid the cessation of *Ireland*, and to prosecute the War there by Orders of Parliament. An Act to establish the joynt Declarations of both Kingdoms, dated Jan. 30. 1643. in *England*, and June the 4. 1644. in *Scotland*.

9. That these Persons shall be exempted from Pardon, viz. the Princes *Rupert* and *Maurice*, the Earles of *Bristol*, *Derby* and *Newcastle*, the Lord *Cottington*, *Pawlet*, *Digby*, *Littleton*, the Archbishop of *Canterbury*, the Lords Bishops of *Ely* and *London-Derry*, &c. (With many others of the Kings best Friends who had been so faithful to him in the times of his greatest necessity) together with twice as many Earls, Lords, Bishops, Knights and Gentlemen of *Scotland*. With all Papists that had a hand in the Rebellion of *Ireland*, or in Arms against the Parliament in *England*, as also all those of the then Parliament of *Oxford*, and all such who have assisted the King in *Scotland*, together with all such as have deferred either Parliaments of both Kingdoms; and the Estates of such unpardonable to pay publique debts.

10. That

of Great Britain and Ireland.

133

1644.

10. That the Arming of the Kingdoms, settling the Admiralties, naming Commissioners Governours for Ireland, great officers of both Kingdoms, the Governance & Marriage of the Kings Children, the Restoration of the Prince Elector, the making Peace and War, the Act of oblivion and Disbanding of the Armies, should be in the power of the respective Parliaments of both Kingdoms: And that all Honours and Titles given since the Great Seal went to the King, viz. May the 21. 1642. or hereafter to bee made should be nul, and the persons on whom they were conferred have no power to Vote in Parliaments: and the like for Scotland since June the 4. 1644. Then for the city of London, which had been the sponge out of which all our mischiefs had been squeezed. They propose that these Acts be confirmed, viz. For confirmation of their Customs, Charters, Liberties, notwithstanding any Non-user, Mis-user or ab-user; and for settling the Militia of London, and the Liberties. That the Tower of London be in the dispose of the Lord Major and Common Council, the Citizens should not be drawn out of London to any service, and that the Acts of the Lord Major and common Council of the City heretofore and hereafter, to confirm as if by Acts of Parliaments. And these things being granted the King (*having thus divested himself of his power*) shal live (*a Pageant Prince*) in greater splendor then any of his Predecessors. The Kings party was at this time verry impatient of peace; and himself indeed alwaies inclineable to it, and therefore though these propositions were such as he could neither in honour or conscience assent to, yet he hoped a Treaty might bring them to more reason, to induce which he returned the Parliament an answer to this effect.

“ That the propositions presented to his Majestie, being very long and containing in “ them matters of great weight and concernment, as being in great part in alteration of “ the frame of Government, both in Church and State, and the Messengers who presented them, declaring that they had no power to treat or consent to any alteration, it “ could not be expected that his Majestie should return a present particular & positive answer. But as he had from his Soul alwaies desired the settling of a happy peace, in these “ distracted Kingdoms, and had for that purpose from time to time tendered all possible “ ventures in hope that all will work upon the hearts of all persons concerned: That even “ this apprehensio such as it was upo further thoght, & consideratio might produce some “ good effects towards it, to which his Majestie called God to witnesse nothing shuld be “ wanting on his part, which was agreeable to Justice, Honour and Conscience, and that “ there shall all possible expedition be used in preparing his Majesties answer, Yet he intended speedily to send by Messengers of his own, & to that purpose he desired safe conduct for the Duke of Richmond, and the Earl of Southampton with their attendants to “ bring up his said answer; heartily wishing that God might so be with him and his, as he “ endeavours all just & lawful waies to restore this poor Kingdome to a lasting and happy peace.

But the Parliament excepted against this Letter as directed to no body, the word Parliament not so much as mentioned in it; which made them remember an expression of the Lord Digby in a Letter of his. Which was,

“ That the Foundation upon the which the King did build all his designs was never “ to acknowledge this a Parliament, and that if he receded from that Maxime, “ he would undo himself, and all those that had appeared for him.

And therefore they refused to grant the safe conduct *untill* their General Essex had writ to Prince Rupert, now the Kings *Generalissimo* to acquaint him.

“ That

The Civill Warres

1644. " That if his Majesty would send to the Parliament of *England* assembled at *Westminster*, and to the Commissioners of the Parliament of the Kingdome of *Scotland*, they would with all readinesse grant a safe conduct for the Duke of *Richmond* & the Earle of *Southampton* to treat with them in his Majesties Name.

Which being so acknowledged by Prince *Rupert* in his Majesties Name; the safe conduct was granted, and the Duke and Earle were received into *somerset-Houſe*, the Parliament making an Order that no member of either Houſe should either viſit, ſpeak or ſend any meſſage to either of them during their ſtay, which was but ſhort, for they ſoon had audience of a Committee of twenty four Lords, and twenty eight Commons; together with the Scottiſh Commiſſioners to whom they delivered their meſſage, nothing elſe in eſſect, but that the King deſired that place and time might be ſpeedily fixed for a treaty, and anſwer returned by thoſe Meſſengers; to which the two Houſes told them, that they would haſten it, and ſo they had order to depart; and accordingly a Treaty was ſoon after agreed upon, to begin at *Uxbridge* (on the thirtieth of *January*) a place not above twelve miles from *London*, and almoſt thrice as far from *Oxford*, the Kings Royall Seat. The time of this treaty drawing nigh made the King write to *Ormond* in *Ireland* to conclude a peace with all poſſible ſpeed, which he did, both for the neceſſity of his affairs (which might as juſtly require the help of the *Iriſh*, as the Parliament could of the *Scotts*; and though it might be objected that theſe were *Papiſts*, yet that was all could be ſaid againſt his uſing their help, and I think it would prove no idle diſpute which is worſe, *Popery* or *Preſbytery*, we having had experience that both (but more ſadly that the laſt) are poſſeſt with King-killing Tenents) and likewise becauſe he knew that if the treaty went on, the firſt thing the Parliament would inſiſt upon, would be the maintaining a War againſt them to their utter ruine, which they could not have ſo large a pretext to do; if the peace were concluded before the treaty began, which hee therefore charged *Ormond* by ſeveral Letters to diſpatch. On the thirtieth of *January* the day appointed the treaty began, the King having before given his Commiſſioners their Inſtructions to this eſſect.

First, For Religion, in which (he ſuppoſed) the Government of the Church would be the chief queſtion: Two things were to be conſidered in it, *Conſcience* and *Policy*.

In the firſt, He could not yeild to the change of Government by Biſhops, not only as he concurred with the moſt general opinion of Chriſtians in all ages as being the beſt, but likewise he held himſelf particularly bound by the Oath he took at his Coronation not to alter the Government of the Church from what he found it. And as for the Churches Patrimony he could not ſuffer any Diminution or Alienation of it, it being without any peradventure ſacredge, and likewise contrary to the former Oath; But that whatſoever ſhould be offered for rectifying of abuſes, if any had crept in, or yet for the eaſe of tender conſciences (ſo that it endamaged not the foundation) he was contented to hear, and would be ready to give a gracious Anſwer.

For the ſecond thing to be conſidered (*Policy*) as it was the Kings duty to proteſt the Church, ſo it was the Churches to aſſiſt the King in the maintenance of his juſt Authority, wherefore his Predeceſſors had been alwayes carefull (eſpecially ſince the Reformation) to keep the dependency of the Clergy entirely upon the Crown, without which, it would ſcarcely ſit faſt upon the Kings Head. Therefore that they ſhould do nothing to change or leſſen that neceſſary dependance.

Secondly

of Great Britain and Ireland.

135

1644.

Secondly, Concerning the *Militia*, after conscience (he supposed) this was certainly the fittest subject for a Kings quarrel, for without it the Kings power was but a shadow, and therefore upon no means to be quitted, but to be maintained according to the ancient Laws of the Land, yet (because to attain to this so much wished peace by all good men) it was in a manner necessary that sufficient and real security were given for performance of Agreement, he did permit them therefore either by leaving strong Towns or other Military forces in their possession (until Articles should be performed) to give such assurance for performance of conditions as they shall judge necessary to conclude a peace, Provided alwaies that they took (at least) as great care by sufficient security that conditions should be performed to him, and to make sure that the peace once sealed, all things should return into their ancient Channels.

Thirdly, For Ireland, He did confesse that they had very specious popular arguments to presse this point, the gaining no article more conducing to their ends then this, and he had as much reason both in honour and policy to take care how to answer this as any. All the world knew the eminent inevitable necessity which caused him to make the *Irish* cessation, and there remained yet as strong reasons for the concluding of that peace. Therefore that they must not consent any thing to hinder him therein, until a clear way might be shown how his Protestant subjects there might more probably at least defend themselves; and that he should have no more need to defend his Conscience and Crown from the Injuries of this Rebellion.

These were the general instructions given by his Majesty to his Commissioners, who likewise every one of them took a protestation, consented to by them all, wherein they did protest and promise in the sight of the Almighty God, that they would not disclose nor reveal to any person (who was not a Commissioner) any matter or thing which should be spoken of during the Treaty by any one or more of his Majesties Commissioners in any private debate among themselves concerning the said treaty, so as to name or describe directly or indirectly the person or persons that should speak any such matter or thing, unless by the consent of all the saids Commissioners that shal be then living; but it was by all the Commissioners agreed that this should not binde where any ten of the Commissioners should agree to certifie his Majesty the number of the assenters or dissenters upon any particular resolt in the treaty, nor naming or describing the persons. The day being come, the Commissioners on both sides came to *Wixbridge*, Who were,

Commissioners for the King.

Duke of Richmond and Lennox.
Marquesse of Hertford.
Earl of Southampton.
Earle of Kingston.
Earl of Chichester.
Lord Capell.
Lord Selmes.
Lord Hutton.
Lord Culpepper.

Sr. Edward Nicholas.
Sr. Edward Hide.
Sr. Richard Lane.
Sr. Thomas Grandure.
Sr. Orlando Bridgeman.
Sr. John Ashburnham.
Mr. Jeffry Palmer.
Dr. Stewart.

Commis-

1644.

The Civill Warres

Commissioners for the Parliament.

Earl of Northumberland.
 Earl of Pembrok & Montgomery.
 Earl of Salisbury. Earl of Denbigh.
 Lord Wenman.
 Mr. Hollis.
 Mr. Pierrepont.
 Sr. Henry Vane Junior.
 Mr. Crew.
 Mr. Whitlock.

Mr. St. Johns.
 Mr. Prideaux.

Commissioners for Scotland.

Lord Loudon.
 St. Charles Erskin.
 Mr. Dundas.
 Mr. Brackley.
 Mr. Henderson.

Being met, and having assented to each others Commissions, the Kings Commissioners complained against one Mr. Love, who in his Sermon in *Wixbridge Church*, That very day being *Thursday* and Market day, told the people:

That the Kings Commissioners came with hearts of blood, and that there was as great a distance between this Treaty and Peace, as between Heaven and Hell. To which the Parliaments Commissioners made answer, that he was not of their train, but they would acquaint the Parliament with their complaint; and accordingly Mr. Love was sent to the Parliament, where he was slightly chequed, but afterwards proving a Traitor to them, received the due reward of a contentious spirit, as in due time will appear. This complaint made and answered, they proceeded orderly to treat; the Kings Commissioners first presented a Paper to the Parliaments, concerning Religion: acquainting that for the reconciling all differences in matters of Religion, and procuring a Peace, they were willing to assent; 1. That freedome should be left to all persons of what opinion soever in matters of ceremony, and that all the penalties of the Laws and customs which enjoyned those Penalties should be suspended. 2. That the Bishops should exercise no Act of Jurisdiction or Ordination without the council and consent of the Presbyters, who should be chosen by the Clergy of each Diocese out of the learnedest and gravest Ministers of that Diocese. 3. That the Bishop should keep his constant residence in his Diocese, except when he should be required by his Majesty to attend him on any occasion, and that if he were not hindred by the infirmity of Old age or sicknesse, hee should preach every Sunday in some Church within his Diocese. 4. That the Ordination of Ministers should be alwayes in the publique and solemn manner, and very strict Rules observed concerning the sufficiency and other qualifications of those men who should be received into Holy Orders. And that the Bishop should not receive any into Holy Orders, without the approbation and consent of the Presbyters, or the major part of them. 5. That competent maintenances should be established by Parliament to such Vicarages as belong to Bishops Deans and Chapters out of the impropriations according to their value of the several Parishes. 6. That no man should be capable of two Parionages or Vicarages with cure of Souls. 7. That towards the settling of the publick peace one hundred thousand pound should be raised by Parliament out of the Estates of Bishops, Deans and Chapters, in such manner as the King and Parliament should think fit, without the alienation of any of the said Lands. 8. That the jurisdiction in causes Testamentary, Decimals and Matrimonials be settled in such manner as should seem most

most convenient to the King and Parliament: And likewise that Acts should be passed for Regulating of Visitations, and against immoderate Fees in Ecclesiastical Courts, and abuses by frivolous excommunications, and all other abuses in Ecclesiastical Jurisdctions as should be agreed upon by King and Parliament. And if the Parliaments Commissioners would insist upon any other thing which they should think necessary for Religion, that the Kings Commissioners would very willingly apply themselves to the consideration thereof. But it was not the drift or design of the Parliament to reform Religion in the Church of *England*, but wholly to innovate it according to their own fancies, and therefore their Commissioners return no answer to this Paper of the Kings Commissioners, but send one of their own, whole heads were. That the Bill for the taking away all Arch-Bishops, Bishops, &c. Be passed according to the third proposition, that the Ordinances concerning the calling and sitting of the Assembly of Divines should be confirmed by Act of Parliament; that the Directory for publick Worship already passed by both Houses, and the propositions concerning Church Government annexed and passed both Houses, be enacted as a part of Reformation of Religion and uniformity according to the first proposition: That his Majesty take the Solemn League and Covenant, and that the Covenant be enjoyed to be taken according to the first proposition. And to this Paper they adjoynd another with these heads. That the ordinary way of dividing Christians into distinct Congregations and most expedient for edification is by the respective bounds of their dwellings. That the Minister and Church-Officers in each Congregation should joyn in the Government of the Church as should be established by Parliament: That many particular Congregations should be under one Presbyterian Government. That the Church be governed by Congregational Classical and Synodical Assemblies to be established by Parliament. That Synodical Assemblies shall consist both of National and Provincial Assemblies. There was little likelihood here of any agreement whilst one party endeavoured to reform some abuses which had crept into that Church-Government, by which *Englands* Church had been Governed ever since she was Christian, and the other were obstinately bent to establish a new form of their own, or at least borrowed of the *Scots*, who had first been made Christians, and Reformed Christians by us, and so very unfit to teach us that Religion which we had first taught them; unless we will grant the *Scots* to have the same faculty in Religion, which the English are said to have in Manufactures, bad inventors, but the most excellent perfecters of an Invention. Three dayes therefore being spent in debate concerning it to no purpose, it was waved for the present, and three dayes set apart to Treat concerning the *Militia*, in which the Parliament Commissioners were as high as in the business of Religion, receding nothing from the propositions before sent to the King; for first they demanded that the subjects of *England* and *Scotland* might be armed, trained and disciplined as the respective Parliaments should think fit, That an Act be passed for settling the Admiralty and Forces at Sea; and moneys thereto for maintenance in both Kingdoms as the Parliaments of each should think fit. An Act for settling all forces by Sea and Land in Commissioners to be named by the Parliaments, and such as both Kingdoms might confide in, and to suppress all powers and forces contrary thereto, and those Commissioners to Act as they should be directed by the Parliaments of each Kingdom. That the *Militia* of the City of *London*, and of the Parishes without *London*, and the Liberties within the weekly Bills of Mortality be in the Lord Major, Aldermen

1644.

dermen and common Council. That the Tower of *London* may be in the Government of the City and chief Officers, and those to be nominated and removeable by the common Council. That the Citizens or Forces of *London* might not be drawn out of the City without their own consent, and that the example by them made in these distracted times, might be no precedent for the Future. But instead of assenting to these, the Kings Commissioners proposed. That the persons to be intrusted with the *Militia* might be nominated between them, or that an equal number, the one half by the King, and the other by the Parliament, and all those to take Oath for the due discharge of that trust, so their security being Mutual, neither could be supposed to violate the agreement, the whole Kingdom being eye witnesses of their failing. The next debate was concerning *Ireland*, to which the Parliament Commissioners according to their former propositions desire. That an Act of Parliament should be passed to make void the Cessation of *Ireland*, and all Treaties with the Rebels without consent of Parliament, and to settle the prosecution of the War in *Ireland* in the Parliament, to be managed by the joynt Advice of both Kingdoms, and his Majesty to assist and to do no Act to discountenance or molest them therein: To which the Kings Commissioners acquainted them with the just grounds of the Kings proceedings in the business of *Ireland*, which they conceived might satisfie all men of his Justice and piety therein; yet they offered to joyn in any course for the good of the Kingdom. In sum, after often debating these points over and over, and the earnest endeavours of the Kings Commissioners to bring the other to reason, who stood constantly obstinate in having the whole matter contained in the propositions formerly sent to the King granted, which could by no means be assented to, unless they would deprive the King of all his Rights Ecclesiastical and Civil, and so render him a King of Clouts. But whilst they out of their pious intentions for peace, were endeavouring to bring them to somewhat more reasonable terms: The Parliaments Commissioners on a sudden declare that they had no more time to Treat, whereat the Kings Commissioners amazed, desired them to interpose with the Parliament, that this Treaty might be revived, and that the whole matter might be reconsidered; but their desires were in vain, for indeed the Parliament had no mind at all to Treat, except it were in blood, as appeared by their indisposition and avernesse from the Treaty at first, by their high and indeed irrational demands, which they knew the King could neither in Reason, Honour nor Conscience grant, nor unless he would deprive himself and his Successors for ever from the inherent Rights to the Crown of *England*, which had he done, he had done as unworthily as the Parliament (who had no right to those things they demanded) did unjustly, by an ambitious usurping of them; for *Non minus est Turpe sua Relinquere, quam aliena intrudere injustum & Ambitiosum*. And thirdly that the Parliament had no mine to treat might appear, by their obstinate resolution not to prolong or revive the Treaty, though upon the earnest desires both of the King and his Commissioners. And so this Treaty broke off to the great displeasure of the King: who now seeing they were resolved to prosecute the War against him to the utmost, to provide for his own safety; gives power to the Queen in *France* to promise that he would take away all the penal Laws against the *Romish Catholics* in *England* as soon as he should be able to do it, so he might have assistance, the ill effect of the Treaty enforcing him to this course, which for his own safety he could not avoid, the visible necessity of His Affairs so much depending on it.

of Great Britain and Ireland,

CHAP. LXVI.

*The two principal Irish Rebels Mac Mahone, and the Lord Macquire executed.
The trial and death of the Horhams, and the lamentable death of
the Archbishop of Canterbury.*

Those two Principal Contrivers and Counsellors of that bloody Massacre in Ireland, *Mac Mahone* and the *Lord Macquire*, who in the beginning of the Rebellion of Ireland, when *O Conally* first discovered that bloody conspiracy, were seized on at Dublin, when they should have seized it, and sent up to London, where both of them had been committed to the Tower, and there lain ever since, till this year making their Escape thence, they were afterwards retaken in the house of one Mrs. *Levison* a Recusant in the Strand, who had been accessory to their escape, and the seized on a suddain, and her House searched by a Committee of three Lords and six Commons; where many Papers discovering terrible designs to be Acted in Ireland were said to be found: and the French Agent no ordinary Lodger at her House there likewise at midnight. But to make sure that the Irish Prisoners should serve them so no more, they ordered their tryal, which they long disputed, whether it should be by a Council of War, a Commission of Oyer and Terminer, or at the Kings Bench-Barr. The last was resolved on, and *Mac Mahone* first tryed there, being found guilty of High Treason, and sentenced to be Hanged Drawn and Quartered, was accordingly Executed at Tyburne in November. The *Lord Macquire* being a Baron of Ireland refused that way of Tryal, craving the privilege of Peerage of that Kingdom, but at last he was denied it, and bound to his Trial by God and his Country: of which he complains to the House of Lords, intreating them not to let him lose his privilege as a Peer: for if he should, it might prove a precedent of ill concernment to them: But the Lords overpowered by the Commons Reasons, as some would have it, concurred to his Tryal at the Kings Bench-Barr, where the Grand Jury having found it *Billa Vera* of High Treason, he was condemned and Executed by Hanging Drawing and Quartering at Tyburne on the twentieth of February. And on the first of December was *Sir John Horham* brought to his Tryal before a Council of War in *Hustings* Court in *Guild Hall*. The Parliament having in Order to his and his Sons Tryal, passed an Ordinance for continuance of Martial Law for four months longer. *Sir John* being come to the Board, his Charge was read which was to this effect. That he had traiterously betrayed the trust reposed in him by the Parliament, and adhered to the Enemy, as was to be proved by his Actions, Words and Letters, as by his compliance with the Enemy, the *Lord Digby*, and the *Earl of Newcastle*; by his refusal to supply the *Lord Fairfax* with Ammunition, to the great dissatisfaction of the Parliament, by his uttering divers scandalous words against the Parliament and close Committees, by his endeavouring to betray the Town of *Hull* to the Enemy, by his holding correspondence with the Queen by several Messengers; by his causing a Demy-Culverin to be planted on the top of the Castle of *Hull*, against the Town, and causing two pieces from the Blok-House to give fire on the Parliaments Ships, by his sending away *Mayor* Captain of the Ship *Hercules*, by his quitting the Garrison of *Beaverly*, which strengthened the Town of *Hull*; and by his endeavouring to escape as soon as his designs were discovered. These things were proved against him by several Witnesses, against which he makes his defence in recounting the great and faithfull service

139
1644.

The Lord
Macquire
pleads Peerage.

Condemned
& executed

Sir John
Defence.

1644.

dermen and common Council. That the Tower of *London* may be in the Government of the City and chief Officers, and those to be nominated and removeable by the common Council. That the Citizens or Forces of *London* might not be drawn out of the City without their own consent, and that the example by them made in these distracted times, might be no precedent for the Future. But instead of assenting to these, the Kings Commissioners proposed. That the persons to be intrusted with the *Militia* might be nominated between them, or that an equal number, the one half by the King, and the other by the Parliament, and all those to take Oath for the due discharge of that trust, so their security being Mutual, neither could be supposed to violate the agreement, the whole Kingdom being eye witnesses of their failing. The next debate was concerning *Ireland*, to which the Parliament Commissioners according to their former propositions desire. That an Act of Parliament should be passed to make void the Cessation of *Ireland*, and all Treaties with the Rebels without consent of Parliament, and to settle the prosecution of the War in *Ireland* in the Parliament, to be managed by the joynt Advice of both Kingdoms, and his Majesty to assist and to do no Act to discountenance or molest them therein: To which the Kings Commissioners acquainted them with the just grounds of the Kings proceedings in the business of *Ireland*, which they conceived might satisfy all men of his Justice and piety therein; yet they offered to joyn in any course for the good of the Kingdom. In sum, after often debating these points over and over, and the earnest endeavours of the Kings Commissioners to bring the other to reason, who stood constantly obstinate in having the whole matter contained in the propositions formerly sent to the King granted, which could by no means be assented to, unless they would deprive the King of all his Rights Ecclesiastical and Civil, and so render him a King of Clouts. But whilst they out of their pious intentions for peace, were endeavouring to bring them to somewhat more reasonable terms: The Parliaments Commissioners on a sudden declare that they had no more time to Treat; whereat the Kings Commissioners amazed, desired them to interpose with the Parliament, that this Treaty might be revived, and that the whole matter might be reconsidered; but their desires were in vain, for indeed the Parliament had no mind at all to Treat, except it were in blood, as appeared by their indispotion and avernesse from the Treaty at first, by their high and indeed irrational demands, which they knew the King could neither in Reason, Honour nor Conscience grant, nor unless he would deprive himself and his Successors for ever from the inherent Rights to the Crown of *England*, which had he done, he had done as unworthily as the Parliament (who had no right to those things they demanded) did unjustly, by an ambitious usurping of them; for *Non minus est Turpe sua Relinquere, quam aliena intrudere injustum & Ambitiosum*. And thirdly that the Parliament had no mine to treat might appear, by their obstinate resolution not to prolong or revive the Treaty, though upon the earnest desires both of the King and his Commissioners. And so this Treaty broke off to the great displeasure of the King: who now seeing they were resolved to prosecute the War against him to the utmost, to provide for his own safety; gives power to the Queen in *France* to promise that he would take away all the penal Laws against the *Roman* Catholiques in *England* as soon as he should be able to do it, so he might have assistance, the ill effect of the Treaty enforcing him to this course, which for his own safety he could not avoid, the visible necessity of his Affairs so much depending on it.

CHAP.

of Great Britain and Ireland,

CHAP. LXVI.

*The two principal Irish Rebels Mac Mahone, and the Lord Macquire executed.
The tryal and death of the Horhams, and the lamentable death of
the Archbishop of Canterbury.*

139

1644.

THose two Principal Contrivers and Counsellors of that bloody Massacre in *Ireland*, *Mac Mahon* and the *Lord Macquire*, who in the beginning of the Rebellion of *Ireland*, when *O Conally* first discovered that bloody conspiracy, were seized on at *Dublin*, when they should have seized it, and sent up to *London*, where both of them had been committed to the Tower, and there lain ever since, till this year making their Escape thence, they were afterwards retaken in the house of one *Mrs. Levison* a Reculant in the Strand, who had been accessary to their escape, and she seized on a suddain, and her House searched by a Committee of three Lords and six Commons; where many Papers discovering terrible designs to be Acted in *Ireland* were said to be found: and the French Agent no ordinary Lodger at her House there likewise at midnight. But to make sure that the Irish Prisoners should serve them so no more, they ordered their tryal, which they long disputed, whether it should be by a Council of War, a Commission of Oyer and Terminer, or at the Kings Bench-Barr. The last was resolved on, and *Mac Mahon* first tryed there, being found guilty of high Treason, and sentenced to be Hanged Drawn and Quartered, was accordingly Executed at *Tyburne* in November. The *Lord Macquire* being a Baron of *Ireland* refused that way of Tryal, craving the privilege of Peerage of that Kingdome, but at last he was denied it, and bound to his Trial by God and his Country: of which he complains to the House of Lords, intreating them not to let him lose his privilege as a Peer: for if he should, it might prove a precedent of ill concernment to them: But the Lords overpowered by the Commons Reasons, as some would have it, concurred to his Tryal at the Kings Bench-Barr, where the Grand Jury having found it *Billa Vera* of High Treason, he was condemned and Executed by Hanging Drawing and Quartering at *Tyburne* on the twentieth of February. And on the first of December was *Sir John Horham* brought to his Tryal before a Council of War in *Hustings* Court in *Guild Hall*. The Parliament having in Order to his and his Sons Tryal, passed an Ordinance for continuance of Martial Law for four moneths longer. *Sir John* being come to the Board, his Charge was read which was to this effect. That he had traiterously betrayed the trust reposed in him by the Parliament, and adhered to the Enemy, as was to be proved by his Actions, Words and Letters, as by his compliance with the Enemy, the *Lord Digby*, and the *Earl of Newcastle*; by his refusal to supply the *Lord Fairfax* with Ammunition, to the great disservice of the Parliament, by his uttering divers scandalous words against the Parliament and close Committees, by his endeavouring to betray the Town of *Hull* to the Enemy, by his holding correspondence with the Queen by several Messengers; by his causing a Demy-Culverin to be planted on the top of the Castle of *Hull*, against the Town, and causing two pieces from the Blok-House to give fire on the Parliaments Ships, by his sending away *Major* Captain of the Ship *Hercules*, by his quitting the Garrison of *Beverley*, which strengthened the Town of *Hull*; and by his endeavouring to escape as soon as his designs were discovered. These things were proved against him by several Witnesses, against which he makes his defence in recounting the great and faithful service

*The Lord
Macquire
pleads Peers
rage.*

*Condemned
& executed*

*Sir John
Defence.*

1644.

Sir John
condemned:
Cap. Ho-
thams tryal

which he did for the Parliament at the beginning of the War, in keeping for them the Town of *Hull*, when by the Surrendry of it to the King, he might have expected great preferment and advantage: And to the first Article he Alledges; that Captain *Mayor* Sailing out to meet the *Providence*, the first Ship that brought the King Ammunition took a Catch in the River *Humber*, in which was the Lord *Digby*, in disguise of a French-man; Collonel *Ashburnham*, and Sir *Edward Stradling*, whom he brought prisoners to *Hull*, where the Lord *Digby* told him that he was a Souldier of Fortune, and for his Liberty would adventure to the Enemy and give Sir *John Hotham* intelligence, which he did, and returned faithfully several times; but at last gave him the slip and came no more, but sent a Letter of entilment telling him that he was the Lord *Digby*, & wishing him to return to his Allegiance to his Sovereign: After which he had no farther treary with him, and that his treating with the Marquels of *Newcastle* was to no other end then to keep that Riding of *York-shire* free from Plunder for the maintenance of *Hull*, which was then destitute of Money; That for any Letters he should send to the Marquels, he knew not but they might bee counterfeit, being only like his hand. He after endeavoured to produce witnesses in his own behalf, but all proved infectual, for on the 7th of December he was condemned to be Beheaded. Two dayes after sentence had passed against him, his Son Captain *Hotham* was brought to histryal, against whom it was urged that he being a Commander in the Parliaments Service had trayterously betrayed the trust reposed in him, perfidiously adhering to the Enemy, which appeared by severall Circumstances to be proved, to wit: That he had been disobedient to the commands of the Lord *Fairfax*, Commander in chief of the northern Counties, & that he refused to account for the Parliaments moneys raised in *York-shire*, & converted to his own use; That his going into the Enemies Quarters and returning back without ingagement, was a clear argument that he adhered to them. That he had several times privately treated with the Enemy under pretence of exchanging prisoners, and had twice by his own confession private discourse with the Marquesse of *Newcastle*, and had been offered by him to be made a Lord, and to have Gen. *Goringes* Command, or any other Honours if he would turn to the King. That he had omitted severall opportunities to fight with the Enemy, and permitted a convoy from the Queen with Arms upon her first Landing at *Burlington* to passe to *York* without fighting. That Lievt. Gen. *Cromwel* being in *Lincolnshire* with him upon a design against the Enemy, He being to charge the Right wing, and *Cromwel* the left, whom he Routed and chased above two miles, and returning found the Right wing unmoved; so that it appeared he had not charged at all. That after the discovery of some of his Treachery, and whilst committed prisoner to *Nottingham-Castle*, he had sent his Servant *John Keyes*, (swearing him to secrecy) with a message to the Queen then at *Newark*, how he was imprisoned and to be speedily sent up to the Parliament, or to the Generall, and to pray her Majesty to send a party of Horse to rescue him, and that he had a Regiment of Horse under his command, and should be ready for the Service she expected in *Lincoln-shire*, that his Company of Foot at *Lincolne*, the Town of *Hull*, *Beaverly*, and the Ship called the *Hercules* were all at his Majesties Service: that after his being released from *Nottingham-Castle*, he went to *Lincolne* and gave out many scandalous speeches invectives against the Parliament with incitements to Colonel *Rossiter*, who detesting such perfidie, he went to his Father to *Hull*, that forthwith both of them received letters from the Marquesse of *Newcastle*, about the betraying

of *Hull* and other matters, and that the day before they were both apprehended in *Hull* (18. June 1643) he wrote to the Marquess an answer to his Letters (which were found in his Chamber Sealed not having time to send them away) wherein much of his treachery was laid open. To this charge, on the 12. of December he made his defence very long, endeavouring by all means possible to clear himself continuing from four in the afternoon, till eight at night; the chief particulars of his defence were, that hee had treated with the enemy, for the Parliaments advantage, in seeking a course for exchange of prisoners and the like. That he conceived he might do it without acquainting his Superior: That it was the Priviledg of all Commanders (of whom diverse hee instanced) and that he knew no law against it, nor was it prohibited by the Ordinance of War, but that before he adventured upon Treaties, he still had advice of his Commander in chief *Sr. John Hotham*, and some of his own Captains, that for his not fighting the Queens convoy, they were much stronger then he; yet he attacked their Rear as far as he might with safety, having learned that maxime of War, "That a Commander in chief is not to adventure upon an Enemy but upon advantage or compelled by necessity. That for the businesse betwixt him and Lieutenant General *Cromwel*, hee offered to prove that he charged the Enemies Right Wing to the utmost, though it proved not so effectually as the others actions upon the left wing; that when he was committed to *Nottingham* not knowing his crimes, or by whole order committed, he sent to *Hull* to his Father to enquire the cause, but that he never sent to the Queen, and that his man *Keyes* his testimony therein was false; that true it was, he spoke some hasty words to Colonel *Roffiter*, that it was in passion, that he recalled them upon better thoughts and was sorry for them, and therefore hopes his errors in passion would not be drawn into crimes, that had he ever intended to desert the Parliament he should have advised with some of his Officers, have consulted with them, and allured them to him, which hee was very confident could never be proved against him. That it was very true that after he came to *Hull*, and before his last apprehending, he and his Father received two Letters from the Marquess of *Newcastle*, and that by his Fathers direction he writ a plausible letter in answer, the better to hold him in hand to enlarge their own quarters, about *Hull*, otherwise much straitened; this letter was directed to the Right Honourable *William Earl of Newcastle*. And ran thus.

My Noble Lord,

" I T is I confesse a great comfort to me in my distracted condition, that I am blessed with a friend of so much trust and Noblesse, it is true the sickleness of those men reduced me into that uncertainty, I never knew in what condition I stood, and so I could not give satisfaction then according as you expected; yet you will not find that ever I shewed, or communicated your Letters to any, but those who were privy to it, & can add to the advancement of the businesse in hand, and not any way to abuse you as some would make you believe: The malice of mine Enemies hath been violent against me, but God hath delivered me out of their hands; I never expected better from the Popularity, for none of those ever rewarded their best Citizens with any thing but Death or Banishment: as I resolved never to forsake the party I had undertaken, till they had without cause so disabled me, that no man can think my Honour

The Civill Warres

1644.

" or Honesty is further engaged to serve them; I confesse I now think my self a Free
 " man from them, and resolve by the grace of God never to serve them more: I cannot
 " yet attend your Lordship, but I shall mightily deserve you untill business be wel
 " med here, which I hope will be shortly, if I could obtain so much favour from you,
 " that Sir Hugh Cholmely might be commanded to forbear the *East-Riding* one fortnight,
 " else we shall be necessitated to be at blows with him continually, nor can hee do any
 " harme here, but will mightily trouble us, whilst greater business should go forward, I
 " desire to know whether ----- were executed after his Pardon. My Lord if I be taken
 " the second time it shall be much against my will, especially by those that were them-
 " selves my friends; as soon as I have dispatched here I shall attend to know your Com-
 " mands to

Your most Humble and Affi-
 cionate servant.

JO: HOTHAM.

Hull 18 June 1643.

P O S T S C R I P T .

If you please to Exchange Captain Wray for Major Sanderlon, I shall send you.

Captain Ho-
 tham senten-
 ced.

Executed.

THIS was the last Letter he wrote, but never sent to the Marquesse of Newcastle, it being found in his Chamber, when he was taken, Sealed and ready to bee sent a-ways; and so plain were the proofs against him, that notwithstanding the utmost defence he could make, he likewise on the twenty third day of December received his sentence, to have his head Severed from his Body. His Father according to the Order of the Council of War, ought to have been Executed on the one and thirty day of December, and a multitude of people were there Assembled to see it, the Scaffold, Coffin and Executioner being all in a readinesse, and Himself coming from the Tower, when a Messenger came Galloping with a Reprive from the House of Lords till the fourth of January; whereupon the Commons by this Reprive conceiving their Priviledge thwarted, Ordered forthwith, " That no Officer or Minister of Justice established by both Houses " of Parliament, should thereafter stay Execution of Justiced upon any particular Or- " der or Reprive from either House, without the concurrence of both Houses. And the more to thwart the Lords, they sent to the Lieutenant of the Tower, commanding him to execute Sir John on the second of January, but by this means his Son Captain Hotham, was Executed before him, who notwithstanding he had with much reluctance petitioned the two Houses for Mercy, Fine, or Banishment, was on the first of January brought to the place of Execution on Tower Hill, where though it was said that he before very penitently confessed his guilt, yet now having spoken of his Services for the Parliament, he concluded, That he knew of no matter of Treason by himself or his distressed Father towards the Parliament, highly arrainging several of the Parliaments Actions, and so had his Head chopt off at one blow. The next day was his Father Sir John Hotham, brought to the Scaffold, accompanied by Mr. Hugh Peters, who told the people that Sir John had revealed his mind to him, which was, that he had been ungratefull, but he hoped God had forgiven him; and made the old man sing that Psalm which is usually sung at Tyburn, which finished, he had his Head likewise chopt off; a couple of persons they were, both Father and Son, who had first publikly resisted the King in Arms

Arms in England, and now suffered by that Party for whose sakes they did it; so just was God in his judgements, as to make them sufferers by them for whom they had first committed their fault. But soon after these (who may be said to have died deservedly) succeeded the lamentable death of that Right reverend Father in God *William Laud* Arch-Bishop of *Canterbury*, & Primate of all England, who had been prisoner in the Tower ever since the beginning of the Long Parliament, where he was reserved as a Sacrifice to satisfy the bloodthirstiness of the Scots upon their second Invasion, as the Earl of *Stafford* was made a Victim to their first. He had, during his Imprisonment, been often summoned before the Lords, who still remitted him to further attendance, which was very frequent, and by some supposed to be more often, that he might be exposed to the scorn and reproach of the Rabble vulgar, whose Affronts wrought no other effects upon his settled and well-biassed soul, than a trial of his patience, and proving it triumphant over all their assaults; but the House of Commons in *January 1643.* when the second Invasion of the Scots was in hand, resolved to rid him of all his sufferings, by suffering one great one, Death, to which effect a Charge was appointed to be drawn up against him, and committed to the management of *Mr. Pryn;* but a long time it was ere any thing deserving death or imprisonment could be found against him, till at last the worthy *Serjeant Wilde* found out in the grosse, without nominating any particulars that *hee Serjeant* was guilty of so many notorious Treasons so eminently destructive to the Common-Wealth, that he wondred the people pulled him not in pieces as hee passed between his charge a-Boat and the Parliament, which was all ever published against him, which could make gainst the him guilty of Treason; and so upon that it seems he was on the seventeenth of *December Arch-Bi-* 1644. condemned by Ordinance of Parliament (a way without Precedent) to be hanged shor. drawn, and quartered on the tenth of *January* following, for endeavouring to subvert the Laws, Religion, and fundamentall Priviledges of Parliament; no proofs of which were brought, and himself hardly permitted to answer to his Charge; nor were they cruel to him only in this, but the Commons denied to send to him *Dr. Sterne* his Chaplain, whom he had petitioned for to come and communicate with him; to which the Lords had assented, but the Lower House thought *Mr. Marshall*, a grand Presbyterian, a Person far fitter, (because of their Opinion) but the Arch-Bishop refused him. Nor was it without some reluctance in the Commons, that the Lords got their consent for his beheading. The time before his death he spent in Prayer and Meditation, and on the day appointed was by *Alderman Pennington* brought to the Scaffold at Tower Hill, where after a large and very excellent Speech made to the People, and some publick and private prayers, he cheerfully underwent the Martyrdome, having his head chopp off by the Executioner. A man he was, without doubt, beyond the ordinary strain of men, endowed with extraordinary Piety towards God, Faithfulness to his Prince, Constancy to his Religion, and Fidelity to his Friend.

CHAP. LXVII.

The Actions of the Marquess of Montrose in Scotland.

Montrose being, as I have before mentioned, returned unfortunately out of Scotland, yet abated nothing of his wonted courage; and therefore not having the opportunity upon his return to joyn with *Prince Rupert*, who had sent for him to assist him

The Civill Warres

Lord Ogilby & others
imprisoned.

Montrose
enters Scotland.

Report of
some Irish.

him in raising the Siege of *Tork*. Now after his Retreat from *Marston-Moor* Fight, he solicited the Prince to aid him with a party of Horse to enter *Scotland*, from whom hee had a very large Promise, but (by what means I know not) little real performances, yet he desists not from his enterprize, but soon after sends the Lord *Ogilby*, and Sir *William Rollock*, two of his most faithfull friends into *Scotland* in disguise, to view the Country, and spy into the Enemies strength, who brought him back word that the Covenanters were possessed of all the Passes and Garrisons in the Country; nor wanted he Enemies nearer him, the Earl of *Traquaire*, who next the *Hammitons* had of all Scottish-men been in greatest favour with the King, tampering with those of *Montrose* Friends that were with him, to desert the Cause, and promising them indemnity if they would fall off to the Covenanters, thus betraying his trust to the King, who had been to him so gracious a Master; but neither these discouragements, nor the advice of his Friends, who counselled him to return to *Oxford*, and there certify the King that the Scottish Affairs were utterly desperate, *Antrim* not bringing in his promised Aides, any whit abated the Marquesss resolutions, who, notwithstanding their advice aforesaid, yet resolves to adventure into *Scotland*; and therefore he dispatches the Lord *Ogilby* from *Carlisle* to the King, with Orders to presse His Majesty with all earnestnesse possible for the hastening of what Aides he could conveniently, but especially for supplies of Arms from beyond Sea; but the Lord *Ogilby* and his Friends in their way to *Oxford* were surprized by the Enemy, and kept prisoners at *Edinburgh*, till *Montrose* himself Released them the next Year. *Ogilby* gone, the Marquess communicates his design of going privily into *Scotland* to the Earl of *Abonie*, but finds him too sickle to undertake so hazardous an enterprize, and therefore, accompanied only with Sir *William Rollock*, and Collonel *Sibbalds*, two assured faithful Friends, he departed from *Carlisle* towards *Scotland*, and in his journey hardly escaped being betrayed by Sir *Richard Graham*, who having from nothing been advanced by the King to a great Estate, and to the honour of Knight Barronet, had now most traiterously revolted to the Covenanters, and undertaken for them to betray all such as for the King passed into *Scotland*. A Servant of his *Montrose* met, but was believed by him to belong to the Scots Army, and therefore with joy told of his Masters Revolt, the knowledge of which made *Montrose* hasten his Journey, and four dayes after he entred *Scotland* he arrived at his Cousin *Patrick Grahams* in the Sherifdom of *Perth*; with him he resides some dayes disguised, whilst he sends his two Friends out to enquire the State of the Country, who brought him word that all the Subjects that were loyal and honest lay under the Rebels Tyranny; That the Marquess of *Huntley* had laid down Arms upon the very first summons of the Enemy, and was fled to the utmost corner of the Island, leaving his Family to the *Gordons* and his Friends exposed to the mercilesse power of the Covenanters, who either imprisoned, fined, or put to death whom ever of the Kings friends they got into their hands. This news extreemly perplexed *Montrose*, especially the ill fortune of the *Gordons*, who were men of singular valour, and known and approved Loyalty; he therefore began to think how he might get them to joyn with him, to try again the fortune of the War; whilst in the meantime a flying report, and afterwards certain news came to him of certain Irish, who were landed in the North of *Scotland*, and wandered up and down the Mountains; These were the Auxiliaries which the Earl of *Antrim* had promised to send; but instead of the promised ten thousand, there came only eleven hundred

hundred in all, committed to the charge of *Alexander Mac-Donald*, a Highlander by Nation, who writes a Letter to a friend of his, desiring that by his assistance these small Forces might be conveyed to *Montrose*, who was imagined still to stay at *Carlisle*. The Gentlemen acquaints *Patrick Graham* with it, whose assistance he craves, and soon receives his promise to conduct them in safety to *Montrose*, then unknown to the other quartering at his house: and the Marquess, as from *Carlisle*, writes a Letter to *Mac-Donald*, assuring him of his presence and some aide, and requiring him to march down into *Athole*, whither he comes to them in the habit of a Mountainer, and was joyfully received by the almost incredulous *Irish*, who were very hardly persuaded to believe it was he; but they had indeed great reason to be overjoyed at his coming, they being then in very great and apparent danger, and in all likelihood to be cut off, *Argyle* being in their Rear with a well-formed Army, ready to fall upon them, and the Champion Country up in Arms before them, they but eleven hundred in all, and not over well Armed: but now his presence immediately joyns to them eight hundred Highlanders, who gladly came in upon hearing the very name of *Montrose*; with these Forces he marches to *Erne*, and so by *Weene Castle*, a Garison of the *Menizes*, whose Fields he wastes, and burns their Houses, because they had fallen upon the Rear of his Army; advancing then forward, and crossing the *Tay*, a great River in *Scotland*, his Kinsman *Patrick Graham* (to whom he committed the Charge of the *Athole* men) scouting before, discovered a Party of Souldiers drawn up on the top of a Hill near *Buckinch*, towards whom *Montrose* halts, and finds them to be two of his Kinmen, the Lord *Kilpont*, Son to the Earl of *Tuith*, and Sir *John Drummond*, Son to the Earl of *Perth*, who at the command of the Covenanters had raised five hundred men to oppose the *Irish* as Drummond the Common Enemy; but understanding that *Montrose* was there, and that he came joyn with by the Kings Commission, they without delay joyned their Forces with his, having him both been always favourers of the Kings Affairs, so far as they durst for fear of the Covenanters; With this Conjunction of Force the Marquess advances towards the Enemies Rendezvous near *Perth*, who were there drawn up in an open Plain, to the number of six thousand Foot, and seven hundred Horse, under the command of the Lord *Alchoe*, the Earl of *Tullibardin*, Sir *James Scot*, and the Lord *Drummond*; the first of which was esteemed no great Souldier, and the last supposed to be there against his will, he and his whole Family being always secret favourers of the King; *Montrose*, notwithstanding his inequality of Numbers, resolves to fight them, and so he did on the first of September, having first sent one *Drummond*, Son to the Lord *Maderiey*, to the Enemy, to acquaint them with the Kings Commission for what he did, and requiring them fairly to lay down Arms, and return to their Allegiance to their Sovereign, the best of Kings; but his Message produced no other effects than the sending of his Messenger prisoner to *Perth*; He therefore draws out his Army as large as he could, only three deep, for fear of being encompassed by the enemies Numbers, commanding them to charge all at once, the first Rank kneeling, the second stooping, & the last, who were the properst men standing upright, & then with the butt end of their Musquets to fall in upon them. *Montrose* himself undertook the Command of the Right Wing, the Lord *Kilpont* had charge of the Left, & *Mac-Donald* with his *Irish* kept the main Batel. On the Enemies part, the Earl of *Tullibardin* commanded the main Batel, the Lord of *Echoe* the Right Wing, and Sir *James Scot* the Left. The Charge being begun by a Forlorn Hope of

Montrose comes to them

The Highlanders joyn with him.

Kilpont &

His first victory.

1644.

He takes
Perth.The Lord
Kilpont
murdered.Montrose
summons
Dundee in
vain.The Earl of
Airlie joyn
with him.Victory at
Aberdene.

the Enemies, under the Command of the Lord *Drummond*, who being forced to their main Body by a small Party sent out against them, *Montroses* whole Army flew in upon the Enemy, and after some sharp encounters totally routed them, slew two thousand upon the place, and took near as many prisoners, some of which taking a Military Oath, he entertained into his Service, but most of them soon after perfidiously deserted him, the rest he let go, only exacting an Oath from them never thereafter to bear Arms against the King. This Victory made him Master of the Town of *Perth*, which he declined to plunder, the better to gain the affections of the people; but having staid there three dayes, (expecting more Aids to come in to him, though few came) having advice that *Argyle* was near hand with a potent Army, he advanced over the *Tay*, and quartering at *Comper*, a little Village in *Angus*, (whither Sir *Thomas Ogilby*, Son to the Earl of *Airlie*, with some others, brought him some encrease of Numbers) had a villanous Murder committed in his Quarters by one *Stuart*, a Servant of the Lord *Kilpotts*, who was supposed to have been hired by the Covenanters to murder *Montrose* and by means of his great familiarity with *Kilpott*, being that night admitted to his bed, discovered his design to him, with promise of great preferment from the Covenanters in case they effected it, and therefore desired his assistance in it; but finding *Kilpott* too faithfull and loyall to give ear to so foul and wicked an enterprize, and fearing lest he should reveal his Treason, he murdered him with many wounds, and in the dark fled away to *Argyle*, by whom he was preferred to Command. The losse of this Nobleman extremely troubled *Montrose*, yet to mind the businesse he had in hand he marches immediately from thence to *Dundee*, which, having received a Garrison out of *Fife*, refused to submit to his Summons, and he not thinking it convenient to hazard the taking it in by a doubtfull Siege, marches away to *Elche*, where he hoped amongst his Kindred and Allies to get an addition of strength, but few or none came in to him besides the old Earle of *Airlie*, a man of threescore Years of Age, with his two Sons, Sir *Thomas*, and Sir *David*, who continued with him (to their everlasting honour) in all extremities; here he receives advice, that the Commissioners for the Covenanters, the chief of which was the Lord *Burghly*, lay with an Army of about two thousand Foot, and five hundred Horse, near *Aberdene*, endeavouring to secure to themselves the Northern Parts, whence he expected to have his greatest Aids; these he therefore resolves to fight withall before *Argyle* should come up, and so towards them he advances, and makes himself Master of the Bridge over *Dee*, and from thence drawing toward the City, he found the Enemy drawn up close by it, having chosen their ground, and planted their Guns before their Army expecting Battel; *Montrose* had at present but fifteen hundred Foot, and four & forty Horse (the Lord *Kilpotts* men being gone to convoy their Lords dead body to buriall among his Friends and Ancestors, and the *Athole* men laden with spoil after their Victory at *Perth* were returned home,) his Horse he divided on each Wing half, mixing with them some of his best Firelocks, who being strong and able men, and withall very nimble and active, were almost as serviceable as Horse; Sir *William Rollock*, his constant Friend, had the Command of his Left Wing, and Sir *James Hay* and *Nathaniel Gordon* of the Right, which was charged almost to a losse by *Lewis Gordon*, (Son to the Marquess of *Huntly*,) who had constrained his fathers friends and Tenants to take up Arms, contrary to their wills, against *Montrose*,) till Sir *William Rollock* with twenty Horse came into their aide, and in a trice forced the Enemy no lesse than three hundred

of Great Britain and Ireland.

147

1644.

dred, first to a Retreat, and then to an absolute flight, when wheeling again about they likewise charged the Right Wing of the Enemies Horse (who were then ready to fall upon Montrose his Left Wing, then left destitute of Cavalry) and forced them to a Retreat: The Enemy in the mean time attributing the ill success of their Horse to these Musqueteers wherewith Montrose had lined his, resolved to do the like to theirs, and adventure a second encounter; which the General perceiving, and loath to adventure again his gallant Cavalry to a new Charge upon the enemy when enforced with Musqueteers, he encourages his Foot to fall in upon the Enemies Infantry with the But-
end of their Muskets and Swords, which they immediately performed with so much gal-
lantry, that they put them to an absolute rout, where by he spoyleth their design of infor-
cing their Cavalry with Musqueteers; and the Horse seeing the whole Body of their
Foot totally broken, made all possible haste away, and by the swiftnesse of their Horse
heels escaped, but their Foot were all, or most of them cut off; the slaughter being pur-
sued into the very streets of *Aberdene*; the Enemies great Guns had in this Battel done
much damage to the Marquesss Army, by reason of the advantage they had got of the
ground, whilst his (for here he had first Artillery with him) proved useless. The
gallantry of an Irishman in this Battel is not to be forgotten, who having his Leg shot
almost off by a Cannon Bullet, so that it hung only by a little skin, still encouraged his
fellow-Souldiers with these words: "Come on my Comrades (saies he) this is but
the fortune of War, and neither you nor I have reason to be sorry for it. Do you
stand to it as becomes you, as for me, I am sure my Lord Marquess, seeing I can
no longer serve on Foot, will mount me on Horseback; and so with his Skein cut-
ting off the skin by which his Leg hung, he bids one of his Fellows bury it lest the hun-
gry Scots should eat his flesh. Montrose possessed of *Aberdene*, and there for some daies
refreshing his men, had intelligence brought that *Argyle* with great Forces drew nigh, and
that to strengthen himself the more he had joyned with the Earl of *Lothian*, whose power
consisted of no lesse than fifteen hundred Horse; whereupon he removes from thence to
Knitor, a Village about twelve miles distant, and from thence dispatches Sir *William*
Rollock to the King at *Oxford*, to acquaint him with the good successe he had hitherto
obtained, and to presse him earnestly for supplies either from *England*, or some place else,
for though he had yet fought prosperously, yet it could not be expected that he could
long hold out, without some addition of fresh Forces, against so many Armies as en-
compassed him on every side; and no relief could he now expect in *Scotland*, the *Gor-*
dons, in expectation of whose assistance he had come to *Knitor*, not offering to stir for
him, being both hindered by the Marquess of *Huntly* their Chief, who out of envy to
Montrose his good fortune, had commanded all with whom he had to do, not to assist
him either with their Persons or Counsel; and besides they had none of the chief of
their Sept to fight under: The Lord *Gordon*, Eldest Son to *Huntly*, being detained
by his half Uncle the Marquess of *Argyle*; the Lord *Alborne*, the second Son, besieged in
Carlisle; and *Lewis Gordon*, the youngest, in Arms for the Enemy; so that though
many of that Family would willingly have served under Montrose, yet they were hin-
dered either by one means or other. Montrose therefore finding here no aid, resolved to
withdraw his Forces into the Mountains and Fastnesses, where the Enemies Horse
would prove unserviceable, and for their Foot he little valued them or their Numbers;
He therefore buries his great Guns and heavy Carriages in a Bog, and advances towards

Aberdene
taken.

Courage of
an Irishman

Huntleys
baseness.

The Civill Warres

Montrose
sick.

Right at Fa.
vy.

Okyans
wplour.

the River *Spey*, not far from *Rothmark* Castle, where he encamped, intending soon after to passe the River, but finds that the men of *Caitness*, *Sutherland*, *Rols*, and *Murray* were up in Arms, to the number of five thousand to stop his passage, till such time as *Argyle* might come upon his back; being thus encompassed as it were on both sides, the better to save himself from their power of Horse, he strikes aside into *Badzenoch*, a hilly mountainous place, and scarce passable for Cavalry, where he fell sick, and that so dangerously, that the Covenanters gave him out several times for dead, boasting that the Lord of Hosts had killed *Montrose* with his own hands, but they found the contrary, for soon after recovering he comes down into *Athole*, from whence he sends *Mac-Donald* to the Highlanders, either to persuade or enforce them to joyn with him: And himself goes into *Angus*, hoping either by tedious Marches to force *Argyles* Horse to their Winter quarters, or at least leave him a good way behind; for *Argyle* pursued him by easie Marches, as if he had no mind to fight; and he had his desire in the last, for hee got a great way the start of the enemy, and had crossed the *Grainsbaine* (a mountain which running in a continued ridge, parts Scotland East and West) and so into the North of the Kingdom, where he comes to *Strabogy* in hopes yet to draw the *Gordons* to his party, but all his endeavours proving fruitlesse, despairing of their aid, about the end of *October* he comes to *Favy* Castle, which he immediately possesses, but had by false intelligence been like here to have been ruined; for having before advice broght him that the Enemy was not yet past the *Grainsbaine*, on a sudden news was brought that *Argyle* and *Lowthian* were encamped within two miles of him with twelve hundred Horse, and two thousand five hundred Foot, whereas he (now *Mac-Donald* was absent) had no more than fifteen hundred Foot, and fifty Horse; Therefore in this streight he draws his men up to a higher Hill that overlooked the Castle, the soyl of the Hill was rough, and the hedges and ditches cast up there by the Husbandmen were almost as usefull as breast works; here before he had allotted every one his ground to draw up in, those few of *Humleys* dependants, which had followed *Montrose* from *Strabogy*, deserted him and fled; whilst in the mean time the Enemy taking all advantages possible, thundered up the hill and made themselves masters of a good part of it, which had they maintained with as much vigour as they gained it, *Montrose* his Army had been utterly lost; but the Marquess the best he could encouraged his men, and commanded *Okyan*, a valiant Irish Colonel, to beat the enemy out of their trenches and Fastnesses, which he performed with a great deal of courage and good Fortune forcing not only them, but a party of Horse that seconded them, to retire, leaving some Bags of Powder behind them a thing the Marquess his Army stood in great want of; those five Troops which under *Lowthian* had charged his fifty horse, were likewise by the shot that lined them put to a retreat; thus having done nothing to purpose with his great Army, *Argyl* departs that night two miles off; but the next day, having advice that *Montroses* men stood in great want of Bullets, hee drew his men into the same place, facing the hill as though he meant to drive *Montrose* from thence, but after the interchange of a few shot he retired, and marched off over the River the same way he came. *Montrose* in the mean time having melted down all his Pewter vessels, as Flaggons, Dishes, chamber Pots &c. for bullets, he advanced again towards *Strabogy*, looking upon that as a place of more security, both in regard of its Rocky situation, & likewise because he there abouts expected the coming of *Mac-Donald* to him with fresh Supplies, but in his way thither his Rear was skirmished withall by a Party.

of Great Britain and Ireland.

149

1644.

Party of *Highlanders* whom *Argyle* had sent to assail them, and to detain them, if possible, till he could come up, that so they might fight *Montrose* in open Field, but this Party was easily beat back, and the General having got up an advantageous hill, made *Argyle* change his Resolution, and from fighting come to a Cessation of Arms, and to treat whilst *Montrose* is sold in his own camp, *Argyl* not only enticing away his Souldiers upon promises of preferment, but likewise setting a price upon his head, which he being adverted of resolves to march from thence to *Badenoch*, and to that effect sent a guard with his Guns and heavy Carriages over night, resolving himself to follow with the rest of the Army early in the Morning, but the escape of one *Forbis* of *Craigevar*, a Knight who had been taken prisoner at the Battel of *Aberdeen*, and had upon Parole the Liberty of the Camp) together with Colonel *Sibbalds*, the Marquess's old Comrade and Friend, who that very night went over to the Enemy, made the General not alter, but delay his determinations of marching to *Badenoch* knowing that the Fugitives would betray his Counsels and designs to the Enemy, recalls his Carriages, and four daies after marches off with great courage and Expedition away to *Balveny*, where the effects of *Argyles* subtilty appeared, many men of Birth and quality falling here off from him, deluded by *Argyles* fair promises, but nothing could draw the thice Noble Earl of *Airlie*, nor his two Sons, *sir Thomas* and *sir David*, to desert him, but they still continued with him faithful to the end, and the Irish and *Highlanders* upon the desertion of those, professed themselves more resolutely Faithful from *Balveny*. *Montrose* being gone to *Badenoch*, had advice that *Argyle* with his Foot only lay at *Dunkelden* in *Athole*, he therefore in wondrous haste marches in one night twenty four miles over waies untrodden untill'd, waste, full of snow, and never inhabited by mortal man; but the very news of his coming so frightened *Argyle*, that before he came within sixteen miles of him, he bid his Army shift for themselves, and himself to shelter in *Peyth* Garrison, when loon after *Montrose*, having joyned Forces with *Mac-Dona'd* and the *Mac-Ronalds*, passes into *Argyles* country; *Argyle* himself was very securely litting Souldiers by the Castle *Inncrare*, nor at all doubting of an Enemy to be within one hundred miles of him, when the trembling Cowards brought him word that *Montrose* was within two miles of him, which made immediately him flee away in a fisherboar, leaving his Country to the mercy of a provoked Enemy, who dividing his Army into three Brigades, devastates the whole Country with fire and Sword, as *Argyl* had served the Kings Friends formerly; and having continued to do so from the 13th of December to the laist of January, departing through *Lorne*, *Glencow* and *Aber*, he comes to *Loughness*, where he meets with the new raised Forces of the Earl of *Seafort*, with the Garrison of *Inncarness*, and the whole strength of *Murray*, *Rosse*, *Sutherland*, *Cathness*, and the Sept of the *Fraisers*, with an Army of five thousand Horse and Foot: *Montrose* had only fifteen hundred, for the *Mac-Ronalds*, with the *Athole* men, hoping no need of them, had got leave to return home with the Spoil of *Argyl*, and to return when he had occasion for them; but how ever his number was small, yet his comfort was that they were all stout and able men, brought up and inured to hardnesse, whereas those on the Enemies side were fresh, raw, and unskilled: But besides these Forces of the Earl of *Seafort*, *Argyl* likewise with three thousand Foot lay at *Inverloughy* Castle, upon the Banks of *Loughaber*, him, though thirty milles off, *Montrose* resolves to engage first, and therefore makes towards him, not by the known and common waies, but by by-paths, over Rocky and uninhabitable mountains, and so

Argyles tread chery.

Argyles flight.

fur-

1645.

Argyle de-
seated.

surprizing the Scouts, came upon *Argyle* before he was aware, yet in a fright hee was Alarm'd, and about twelve a Clock at night, but light as day by reason of the Full Moon, they Sirmished, whilst *Argyle* fled away in a Cock-boat and deserted them all, but the next morning at the sound of *Montroses* Trumpets, a sign he had Horle, though unusual, there. The *Campbells* (*Argyles* surname) began the fight on Candlemas day, but the Common Souldiers on the Front at the first discharge began to run, and being eagerly pursued routed the rest, who were chased in all nine miles, the Execution great, no less then fifteen hundred slain, among which were the chief of the *Campbells*; on *Montroses* side very few were lost, but one of these few was the worthy Sir *Thomas Ogilby*, Son to the Earl of *Airlie*, who died of his wounds received in this Battel which concluded *Montroses* Actions for this year.

CHAP LXVIII.

Essex, Denbigh, and Manchester surrender their Commissions; Some Affairs of both Armies under the New Models; Colonel Windebank shot to Death.

ESSEX, the Parliaments General, had for a long time perceived that his actions were somewhat suspected by the Parliament, as appeared by that commission which they gave *Waller* a part, thereby at first eclipsing his power and those speeches of Mr. *Vassals* in the House, when General *Essex* so earnestly pressed them to come to an agreement with the King; and now his defeat at *Leisthiel*, but especially the King, carrelling him there, his quitting of *Newbury*, and permitting the King, both to possess that for his Winter Quarters, and relieve *Dennington* Castle, had so far increased that jealousy (as it appeared to the World) that it was absolutely voted in Parliament, that the Affairs of their Army were not managed with that care, diligence and advantage that they might be, and therefore they took resolution to new model their Army, and to found out that trick, the Ordinance of self denial, to deprive their General, together with the Earls of *Manchester* and *Denbigh* of their Commands, and to place others more for the popular interest in their rooms; and therefore in the beginning of this Year those three Earls finding that of force they must surrender their Commissions, thought it a great deal more honour to do it voluntarily, than stay while they were taken away from them, and therefore on the second of April they delivered up their respective Commissions in the House of Lords; *Essex* with his giving them a Paper wherein he told them: "That having received that great Charge in obedience to the commands of both Houses and taken their Sword into his hand, he could with confidence say, that hee had now for almost three years faithfully served them, and he hoped without losse of honour to himself, or prejudice to the publick, supported therein by the goodness of God, and the fidelity and courage of a great many gallant men, both Officers and Souldiers; but he would neither trouble them nor himself with repeating either the difficulties or dangers which they had overcome, nor the service that he had done them. That hee saw now by the coming up of those Ordinances, that it was the desire of the House of Commons that his Commission might be vacated. That it had been no particular respect to himself (what ever might have been whispered to the contrary) that had made him thus long before he declared his readinesse thereunto, it being not unknown to divers men of Honour, that he had resolved it after the Action of *Glocester*, but that

“ that some importunities pressed on him with Arguments of publike advantage, and
 “ that by thole of unquestionable affection, overruled him therein; he now did it, and
 “ returned his Commission into those hands that gave it him, wishing it might prove
 “ as good an expedient to the present distempers, as some would have it believe, which he
 “ should pray for with as hearty a zeal as any could desire, his doing that which he now did.
 “ That yet he thought it not immodest to intreat both Houses, that those Officers
 “ of his which were laid by, might have their Debentures audited, and some considerable
 “ part of their Arrears paid them for their support, and the remainder secured upon
 “ publike Faith: and that those of them which remained questioned, might be brought
 “ to some speedy trial, whereby they might receive either the punishment or justification
 “ due to them, under which notion he remembered only three, of whom he must
 “ testify that they frankly and courageously had adventured their lives, and lost their
 “ blood for the publike, & that with continued fidelity for ought he ever could observe.
 “ And to conclude he tells them that he knew jealousies could not be avoided in the
 “ unhappy Condition of present Affairs, yet Wisdom and Charity should put such re-
 “ straints thereto, as not to allow them to become destructive, he hoped this advice from
 “ him was not unreasonable, wishing himself and his friends might amongst others par-
 “ ticipate the benefit there of, this proceeding from his affection to the Parliament,
 “ the prosperity of which he ever wished from his heart; what return soever it brought
 “ him, he being no single example in that kind of the Fortune he now under went. Thus
 “ meekly expostulates he with them, but it was palpable to all the World that their design
 “ in taking away those Lords Commissions extended further then what was then pretended, for
 “ now their designs appeared more palpably then before they had, and they had found by
 “ Essex his mentions to them of coming to a Treaty and agreement with the King, that
 “ he intended not what they did, (the perpetuating of themselves in the usurped Govern-
 “ ment of these three Nations) but the settling of a Firm and well grounded Peace; besides
 “ the Presbytery themselves were in a great measure contented with what the Parliament
 “ had done in depriving him and those other Lords of their Commands; for though Essex
 “ had thus long fought for them, yet they found him not sufficiently Presbyterian to en-
 “ deavour a settlement of that Church-Government, which they pretended for, and there-
 “ fore they the easier gave way to the taking away of his Command, and placing others in
 “ it, whom they thought fitter for their turn, but they too were mistaken in their po-
 “ licy, for thereby they opened the door to the Independents (a Faction then newly risen
 “ up out of the Presbytery) to enter in and usurp their Power and Authority to themselves
 “ whereby they were utterly deprived of their main design, the settling in themselves, and
 “ their lay Elders, the perpetual Church Government of England, yet they carried them-
 “ selves still pretty fairly with the Independents (a breach with whom they knew would be
 “ the ruine of all) till such time as they had utterly lost all that Dominion which they had
 “ so long gaped for, and found it quite snatched out of their hands by others, when they be-
 “ gun to repent that they had endeavoured to take the power quite out of the Kings hands,
 “ to have it taken from them by a faction sprung up but the other day, & out of themselves
 “ too; and therefore when too late, they endeavoured the restoring of it to the
 “ King; as in some subsequent passages of the story may appear. But in summe, many men
 “ now began to discern that it was far from the Parliaments intentions, when they first be-
 “ gan the War, to bring the King to his Parliament, or to make him a Glorious King, but

*Designs for
a free State
to*

1645.

Argyle de-
feated.

surprizing the Scouts, came upon Argyle before he was aware, yet in a fright hee was Alarm'd, and about twelve a Clock at night, but light as day by reason of the Full Moon, they Sirmished, whilst Argyle fled away in a Cock-boat and deserted them all; but the next morning at the sound of Montroses Trumpets, a sign he had Horle, though unusual, there. The Campbels (Argyles surname) began the fight on Candlemas day, but the Common Souldiers on the Front at the first discharge began to run, and being eagerly pursued routed the rest, who were chased in all nine miles, the Execution great, no less then fifteen hundred slain, among which were the chief of the Campbels; on Montroses side very few were lost, but one of these few was the worthy Sir Thomas Ogilby, Son to the Earl of Airlie, who died of his wounds received in this Battel which concluded Montroses Actions for this year.

CHAP LXVIII.

Essex, Denbigh, and Manchester surrender their Commissions; Some Affairs of both Armies under the New Models; Colonel Windebank shot to Death.

ESSEX, the Parliaments General, had for a long time perceived that his actions were somewhat suspected by the Parliament, as appeared by that commission which they gave Waller a part, thereby at first eclipsing his power and those speeches of Mr. Vassals in the House, when General Essex so earnestly pressed them to come to an agreement with the King; and now his defeat at Leifethiel, but especially the King carressing him there, his quitting of Newbury, and permitting the King, both to possesse that for his Winter Quarters, and relieve Dennington Castie, had so far increased that jealousy (as it appeared to the World) that it was absolutely voted in Parliament, that the Affairs of their Army were not managed with that care, diligence and advantage that they might be, and therefore they took resolution to new model their Army, and so found out that trick, the Ordinance of self denial, to deprive their General, together with the Earls of Manchester and Denbigh of their Commands, and to place others more for the popular interest in their rooms; and therefore in the beginning of this Year those three Earls finding that of force they must surrender their Commissions, thought it a great deal more honour to do it voluntarily, than stay while they were taken away from them, and therefore on the second of April they delivered up their respective Commissions in the House of Lords; Essex with his giving them a Paper wherein he told them: "That having received that great Charge in obedience to the commands of both Houses and taken their Sword into his hand, he could with confidence say, that hee had now for almost three years faithfully served them, and he hoped without losse of honour to himself, or prejudice to the publick, supported therein by the goodness of God, and the fidelity and courage of a great many gallant men, both Officers and Souldiers; but he would neither trouble them nor himself with repeating either the difficulties or dangers which they had overcome, nor the service that he had done them. That hee saw now by the coming up of those Ordinances, that it was the desire of the House of Commons that his Commission might be vacated. That it had been no particular respect to himself (what ever might have been whispered to the contrary) that had made him thus long before he declared his readinesse thereunto, it being not unknown to divers men of Honour, that he had resolved it after the Action of Gloucester, but that

of Great Britain and Ireland.

131

1645.

“ that some importunities pressed on him with Arguments of publike advantage, and
 “ that by thole of unquestionable affection, overruled him therein; he now did it, and
 “ returned his Commission into those hands that gave it him, wishing it might prove
 “ as good an expedient to the present distempers, as some would have it believe^d, which he
 “ should pray for with as hearty a zeal as any could desire, his doing that which he now did.
 “ That yet he thought it not immodest to intreat both Houses, that those Officers
 “ of his which were laid by, might have their Debentures audited, and some considerable
 “ part of their Attorneys paid them for their support, and the remainder secured upon
 “ publike Faith: and that those of them which remained questioned, might be brought
 “ to some speedy trial, whereby they might receive either the punishment or justification
 “ due to them, under which notion he remembered only three, of whom he must
 “ testify that they frankly and courageously had adventured their lives, and lost their
 “ blood for the publike, & that with continued fidelity for ought he ever could observe.
 “ And to conclude he tells them that he knew jealousies could not be avoided in the
 “ unhappy Condition of present Affairs, yet Wisdom and Charity should put such re-
 “ straints thereto, as not to allow them to become destructive, he hoped this advice from
 “ him was not unreasonable, wishing himself and his friends might amongst others par-
 “ ticipate the benefit there of, this proceeding from his affection to the Parliament,
 “ the prosperity of which he ever wished from his heart; what return sever it brought
 “ him, he being no single example in that kind of the Fortune he now under went. Thus
 “ meekly expostulates he with them, but it was palpable to all the World that their design in
 “ taking away those Lords Commissions extended further then what was then pretended, for
 “ now their designs appeared more palpably then before they had, and they had found by
 “ Essex his mentions to them of coming to a Treaty and agreement with the King, that
 “ he intended not what they did, (the perpetuating of themselves in the usurped Govern-
 “ ment of these three Nations) but the settling of a Firm and well grounded Peace; besides
 “ the Presbytery themselves were in a great measure contented with what the Parliament
 “ had done in depriving him and those other Lords of their Commands; for though Essex
 “ had thus long fought for them, yet they found him not sufficiently Presbyterian to en-
 “ deavour a settlement of that Church-Government, which they pretended for, and there-
 “ fore they the easier gave way to the taking away of his Command, and placing others in
 “ it, whom they thought fitter for their turn, but they too were mistaken in their po-
 “ licy, for thereby they opened the door to the Independants (a Faction then newly risen
 “ up out of the Presbytery) to enter in and usurp their Power and Authority to themselves
 “ whereby they were utterly deprived of their main design, the settling in themselves, and
 “ their lay Elders, the perpetual Church Government of *England*, yet they carried them-
 “ selves still pretty fairly with the Independents (a breach with whom they knew would be
 “ the ruine of all) till such time as they had utterly lost all that Dominion which they had
 “ so long gaped for, and found it quite snatched out of their hands by others, when they be-
 “ gan to repent that they had endeavoured to take the power quite out of the Kings hands,
 “ to have it taken from them by a faction sprung up but the other day, & out of themselves
 “ too; and therefore when too late, they endeavoured the restoring of it to the
 “ King as in some subsequent passages of the story may appear. But in summe, many men
 “ now began to discern that it was far from the Parliaments intentions, when they first be-
 “ gan the War, to bring the King to his Parliament, or to make him a Glorious King, but

Designs for
a free State

1645.

to establish a Commonwealth or Republique; the model of which had been fancied not only by some here, but by others in *Scotland*, far beyond *Sir Thomas Moores UTOPIA*, *Plato's IDEA*, the Lord *Verulam's ATLANTIS*, or any other things which former Ages had laid down rather as things supposed to be done, then as things which could really be effected; clear arguments to prove which, might appear, not only by this action, but by their often declension of those many and earnest messages of Peace, which the King had sent to them, besides their standing upon such high terms, though in their utmost extremities (when ever they vouchsafed to treat) that the King could neither in Honour nor Conscience grant; sufficiently demonstrating that they had no desire or intentions to come to any agreement or conclusion of peace, but pursue their begun designs and intentions to the very uttermost round of the Ladder, and having once drawn their Swords against their Prince, be *Aut Caesari aut nulli*, either Princes or nothing; though I yet believe that the tenth part of the House of Commons (for there the design was hatched, for the extirpation both of the Kingly Power, and House of Lords) neither knew nor were sensible that the business would go so far as at the last it did; but looked no further then the bare outside of things, which carrying so fair a gloss and shew, that, together with the power and threats of the prevailing party, drew them on to Vote whatever might tend to the others interest: But to pursue Our story, The surrender of these Lords Commissions was esteemed to gratefull a service to the Parliament, (as indeed it was to the conspiring party) that at a conference had between the Lords and Commons, a Declaration was ordered to be drawn up, testifying the acceptableness of that service in such a conjuncture of time, and acknowledging it as an evident demonstration of the fidelity and care those three Lords had to the publique; and therefore the Commons were desired to concur for the payment of their Officers Arrears, and a Committee was chosen, to consider of a means and way to gratifie those Lords for their former faithful service: but whether the Committee sat or no, little is found upon Record that ever they received: The Earl of *Warwick* likewise, the Parliaments Admiral at Sea, about the same time surrendred his Commission to the Lords, and that Office was by the Commons intrusted to six Lords, and twelve Commons, but the Lords stood but as Ciphers in the Commission, the active Commons doing all things in it at their pleasure; for now indeed the House of Lords it self begun to be looked upon as a thing of no value, the Commons taking all the power into their hands, and in a manner forcing the Lords to a compliance with whatever they determined, which however it is very probable, that had they dissented from any thing, the Commons would have passed it without them. But to come to the Action of this new Model, *Sir Thomas Fairfax* now made Lord General of all the Parliaments Forces in the place of *Essex*, having laid the passing of the self denying Ordinance, set forth out of *London* towards *Windfor*, where his Army, being completed, was to make their General Redevouz: Whilst yet in the mean time several petty actions had been done by both parties, especially about *Glocester*, between Prince *Rupert*, and Major General *Massey*, at *Lidbury*, wherein neither had much cause to boast of Victory; the Lord *Hastings* was slain on the Kings Party, and *Massey* hardly escaped Prince *Rupert*, who shot his Horse under him; but both parties endeavoured to compleat their Armies for the field, the Parliament in all their quarters, the King at *Oxford* and Prince *Rupert* for him in the Western Countries, about *Glocestershire* and *Worcestershire*, where in opposition to the like precedent in the Parliament

*Sir Tho.
Fairfax Ge.
neral fers
forth.*

of Great Britain and Ireland,

153

1645.

Parliament, He summoned the Countrey to this Protestation. " That they believed
 " no power of Pepp or Parliament, could depole a King, or abolve them from their na-
 " tural Obedience to his Royal Person and Successors; that the two Houses of Parlia-
 " ment without the Kings consent, had no power to make Laws, or to bind or oblige
 " the Subjects by their Ordinances. That they believed the Earls of *Essex* and *Man-*
 " *chester*, Sir *Thomas Fairfax*, and Sir *William Waller*, together with all such as have al-
 " ready, or should hereafter take up Arms by Authority or Commission from the
 " Members of Parliament at *Westminster*, pretending to fight for King and Parliament,
 " do thereby become actuall Rebels, and as such ought with all their adherents and par-
 " takers, to be presented and brought to condign punishment. That they would never
 " bear Arms in their quarrel, but would if they were thereunto called, assist their So-
 " veraign and his Armies in defence of his Royal Person, Crown and Dignity, against
 " all contrary Forces, to the utmost of their skill and power, and with the hazard of
 " their lives and fortunes. That they would not discover the secrets of His Majesties
 " Army unto the Rebels, nor hold any correspondence with them: And all designs of
 " theirs against the Kings Army, for the surprizing or deliveing up of the Cities of
 " *Hertford*, or *Worcester*, or any other of his Majesties Forts, they would truly disco-
 " ver unto those whom it should concern, so soon as it came to their knowledge; That
 " His Majesties taking up of Arms for the causes by himself so often declared in Print,
 " was justly necessary. That they would endeavour all they could to hinder popular
 " Tumults, Risings, Rendezvouzes, meetings, confederacies, and associations of the
 " people, Towns, Hundreds, and Counties, which are not warranted to assemble by
 " his Majesties expresse Commissions, and in the sence he means it, and that they de-
 " tested in their hearts, the seditious and traiterous late invented *National Covenant*,
 " and protest never to take it, and conclude that they vowed and protested sincerely to
 " observe all these particulars without equivocation or mental reservation. This Pro-
 " testation was very necessary, the people thereby distinguishing the fighting for the
 " King, and King and Parliament. Prince *Rupert* having fitted his Army, and being ad-
 " vanced to the King at *Oxford*; *Massey* took the opportunity of his absence, and with a
 " Party from *Glocester* took *Exeter* by storm, almost the last Service he did for the
 " Parliament; who not long after called him from his Government, and ill requited him in
 " the end for his diligent defence of *Glocester*, and other acceptable service; so that some
 " time after he departed from *London* beyond Sea, and ever after was for the King. *Taun-*
 " *ton* in the mean time was besieged by the Lord *Hopton*, Colonel *Goring*, and Sir *Rich-*
 " *ard Greenville*, for the King. But the first success which the Parliaments New-sho-
 " del had, was under the command of Lieutenant General *Cromwell*, who being dispen-
 " sed withall for forty dayes (or indeed for ever) notwithstanding the self-denying Or-
 " dinance, continued in his Command, and costing the Countrey with a Brigade of
 " eleven hundred Horse, fell upon a Body of the Kings Horse and part of the Queens
 " Regiment, under the command of the Earl of *Northampton* at *Islip Bridge*, routed them,
 " took four hundred Horse, and purveied the rest to *Blekington House*, where Colonel
 " *Windebank* was ordered to lie with a small Party of Horse and Foot, the better to keep
 " open the Markets till *Woodstock House* was fortified and made a Garrison; the House
 " was utterly unfortified, not having so much as a wooden pale about it, so it was imme-
 " diately surrendered to *Cromwell*, it being indeed impossible it should long hold out; nor-
 " withstanding

Exeter
taken.

The Civill Warres

to establish a Commonwealth or Republique; the model of which had been fancied not only by some here, but by others in *Scotland*, far beyond *Sir Thomas Moors UTOPIA*, *Plato's IDEA*, the Lord *Verulam's ATLANTIS*, or any other things which former Ages had laid down rather as things supposed to be done, then as things which could really be effected; clear arguments to prove which, might appear, not only by this action, but by their often declension of those many and earnest messages of Peace, which the King had sent to them, besides their standing upon such high terms, though in their utmost extremities (when ever they vouchsafed to treat) that the King could neither in Honour nor Conscience grant; sufficiently demonstrating that they had no desire or intentions to come to any agreement or conclusion of peace, but pursue their begun designs and intentions to the very uttermost round of the Ladder, and having once drawn their Swords against their Prince, be *Aut Cesari aut nulli*, either Princes or nothing; though I yet believe that the tenth part of the House of Commons (for there the design was hatched, for the extirpation both of the Kingly Power, and House of Lords) neither knew nor were sensible that the business would go so far as at the last it did; but looked no further then the bare outside of things, which carrying so fair a gloss and shew, that, together with the power and threats of the prevailing party, drew them on to Vote whatever might tend to the others interest: But to pursue Our story, The surrendry of these Lords Commissions was esteemed so gratefull a service to the Parliament, (as indeed it was to the conspiring party) that at a conference had between the Lords and Commons, a Declaration was ordered to be drawn up, testifying the acceptableness of that service in such a conjuncture of time, and acknowledging it as an evident demonstration of the fidelity and care those three Lords had to the publique; and therefore the Commons were desired to concur for the payment of their Officers Arrears, and a Committee was chosen, to consider of a means and way to gratifie those Lords for their so mer faithfull service: but whether the Committee sat or no, little is found upon Record that ever they received: The Earl of *Warwick* likewise, the Parliaments Admiral at Sea, about the same time surrendred his Commission to the Lords, and that Office was by the Commons intrusted to six Lords, and twelve Commons, but the Lords stood but as Ciphers in the Commission, the active Commons doing all things in it at their pleasure; for now indeed the House of Lords it self begun to be looked upon as a thing of no value, the Commons taking all the power into their hands, and in a manner forcing the Lords to a compliance with whatever they determined, which however it is very probable, that had they dissented from any thing, the Commons would have passed it without them. But to come to the Action of this new Model, *Sir Thomas Fairfax* now made Lord General of all the Parliaments Forces in the place of *Essex*, having laid the passing of the self denying Ordinance, set forth out of *London* towards *Windsor*, where his Army, being compleated, was to make their General Redevouz: Whilst yet in the mean time several petty actions had been done by both parties, especially about *Glocester*, between Prince *Rupert*, and Major General *Massey*, at *Lidbury*, wherein neither had much cause to boast of Victory; the Lord *Hastings* was slain on the Kings Party, and *Massey* hardly escaped Prince *Rupert*, who shot his Horse under him; but both parties endeavoured to compleat their Armies for the field, the Parliament in all their quarters, the King at *Oxford* and Prince *Rupert* for him in the Western Countries, about *Glocestershire* and *Worcestershire*, where in opposition to the like precedent in the Parliament

*Sir Tho.
Fairfax Ge-
neral sets
forth.*

of Great Britain and Ireland.

153

1645.

Parliament, He summoned the Countrey to this Protestation. " That they believed
 " no power of Peere or Parliament, could depole a King, or absolve them from their na-
 " tural Obedience to his Royal Person and Succession; that the two Houses of Parlia-
 " ment without the Kings consent, had no power to make Laws, or to bind or oblige
 " the Subjects by their Ordinances. That they believed the Earls of *Essex* and *Man-*
 " *chester*, Sir *Thomas Fairfax*, and Sir *William Waller*, together with all such as have al-
 " ready, or should hereafter take up Arms by Authority or Commission from the
 " Members of Parliament at *Westminster*, pretending to fight for King and Parliament,
 " do thereby become actuall Rebels, and as such ought with all their adherents and par-
 " takers, to be presented and brought to condign punishment. That they would never
 " bear Arms in their quarrel, but would if they were thereunto called, assist their So-
 " veraign and his Armies in defence of his Royal Person, Crown and Dignity, against
 " all contrary Forces, to the utmost of their skill and power, and with the hazard of
 " their lives and fortunes. That they would not discover the secrets of His Majesties
 " Army unto the Rebels, nor hold any correspondence with them: And all designs of
 " theirs against the Kings Army, for the surprizing or delivering up of the Cities of
 " *Hertford*, or *Worcester*, or any other of his Majesties Forts, they would truly disco-
 " ver unto those whom it should concern, so soon as it came to their knowledge; That
 " His Majesties taking up of Arms for the causes by himself so often declared in Print,
 " was justly necessary. That they would endeavour all they could to hinder popular
 " Tumults, Risings, Rendezvouzes, meetings, confederacies, and associations of the
 " people, Towns, Hundreds, and Counties, which are not warranted to assemble by
 " his Majesties expresse Commissions, and in the sense he means it, and that they de-
 " tested in their hearts, the seditious and traiterous late invented *National Covenant*,
 " and protest never to take it, and conclude that they vowed and protested sincerely to
 " observe all these particulars without equivocation or mental reservation. This Pro-
 " testation was very necessary, the people thereby distinguishing the fighting for the
 " King, and King and Parliament. Prince *Rupert* having fitted his Army, and being ad-
 " vanced to the King at *Oxford*; *Massey* took the opportunity of his absence, and with a
 " Party from *Glocester* took *Evesham* by storm, almost the last Service he did for the Par-
 " liament; who not long after called him from his Government, and ill requited him in
 " the end for his diligent defence of *Glocester*, and other acceptable service; so that some
 " time after he departed from *London* beyond Sea, and ever after was for the King. *Taun-*
 " *ton* in the mean time was besieged by the Lord *Hopton*, Colonel *Goring*, and Sir *Rich-*
 " *ard Greenville*, for the King. But the first success which the Parliaments New-mo-
 " del had, was under the command of Lieutenant General *Cromwell*, who being dispen-
 " sed withall for forty dayes (or indeed for ever) notwithstanding the self-denying Or-
 " dinance, continued in his Command, and costing the Countrey with a Bagade of
 " eleven hundred Horse, fell upon a Body of the Kings Horse and part of the Queens
 " Regiment, under the command of the Earl of *Northampton* at *Islip Bridge*, routed them,
 " took four hundred Horse, and pursued the rest to *Bleckington* Houie, where Colonel
 " *Windesbanke* was ordered to lie with a small Party of Horse and Foot, the better to keep
 " open the Markets till *Woodstock* Houie was fortified and made a Garrison; the Houie
 " was utterly unfortified, not having so much as a wooden pale about it, so it was imme-
 " diately surrendered to *Cromwell*, it being indeed impossible it should long hold out not-

Evesham
taken.

The Civill Warres

wiſtanding which impoſſibility, Col. *Windebanke* waſt afterwards called to a Council of War; and by the eager purſuit of ſome back-friends in Court, condemned to be ſhot to death: Which (his fathers ſufferings and ſervices being quite forgot) he ſuffered with a Chriſtian courage and magnanimity on the ſiſt of May.

CHAP. LXIX.

The King takes Leiſceſter. The fatal Battel at Naſeby.

THE King accompanied with the Princes *Rupert* and *Maurice*, ſet out from *Oxford* this Year in as gallant a poſture as ever he had done ſince the beginning of the War; his deſign was for the relief of *Cheſter*, beſieged by Sir *William Brereton* and Sir *Thomas Middleton* for the Parliament, and ſo that way he directs his courtes, his Infantry advancing after with thirty Field-pieces towards *Worceſter*, commanded by *Goring*, and purſued by *Cromwell* in the Rear, till the very fear of the Kings coming makes *Brereton* raiſe his Siege; ſo his buſineſſe being done, the King wheeled about towards *Fairfax*, who being before gone with *Skippon*, and nine thouſand Horſe and Foot, towards the relief of *Taunton* in the Weſt, was upon the Kings march towards *Cheſter* ordered to return back (leaving only Colonel *Graves* with three thouſand men to relieve *Taunton*, which proved enough to do the work for the preſent, though it was ſoon after again beſieged) and aſſiſted by *Cromwel* and *Brown*, ſits down at *Miſton* within a mile of *Oxford*, whence the King halts to remove him, but in his way ſits down before *Leiſceſter*, and after having ſummoned it in vain, on the laſt of May falls a ſtorm. ing it, and ſoon forced his entrance, though he found hot ſervice within, for the Deſendants held fight three hours in the Market place, having planted their Cannon at the Croſſe, but in the end they were over-powred, many of them killed, the Committee men, with the Governour, Col. *Grey*, & Col. *Hacker* taken priſoners, but ſome there were that eſcaped to *Rochingham* Caſtle; There was in the Town found much Ammunition & plunder, which was ſent to the Kings adjacent Garilons of *Newmarke*, *Belvoir*, & *Aſby-de-la-zouch*. The taking of this Town was accounted of great advantage to the King, inſomuch that himſelf writ to the Queen, That he might without being too much ſanguine affirm, that ſince the Rebellion his Affairs were never in ſo hopeful a way; & ſo the Parliament thought too, ſo upon the Kings firſt ſitting down before that town, they ordered all their Forces to draw off from *Oxford* to joyn with the Forces of the Associated Counties, together with the Scots to give the King Battel, and at *Briskil* they Rendezvouzed, whither *Cromwel* was ſent for, who had gone from *Oxford* into the Iſle of *Ely*, for without him 'twas laid *Fairfax* could do nothing. The King in the mean time driving the Country before him, and ſending good ſtore of Cattell and Plunder into *Oxford* on the 12th of June the two Armies came ſo near together that they had ſome light ſkirmiſhes with equall ſucceſſe, the King drawing up his quarters to *Burrough* hill near *Daventry*, and the Parliaments General *Fairfax* quartered at *Gilborough* within four miles of him but not daring to adventure a battel till *Cromwel* was come up to him, which he did on the 13th. of June, (the ſame day that the King by five a clock in the morning had removed from *Burrough* hill towards *Harborough*;) with ſix hundred good Horſe and Dragons of the the Associated Counties, and immediately gives Order to the Army to bee ready for battel, and each one was commanded to his Port, which ſudden reſolution of the Palia-

ments

of Great Britain and Ireland.

155

1645.

ments Army to fight was imagined to proceed from a Letter they had intercepted from Col. *Goring* to the King, signifying that he was in his March towards him, and therefore desired his Majesty to keep at a distance, and not to engage the enemy till he should come to him, which hastened the Parliaments Commanders to an engagement, as thinking it safer to fall upon the Kings Army before those new supplies came; And the King himself, not having had any such advice, had at midnight called a Council of War, and concluded withour delay to give the Enemy Battel; to both Armies being willing to engage; *Fairfax* on the 14th. of *June* marched from *Gallinborough* towards *Naseby*, and by the morning Sun discerns the King putting his Army into Order, and advancing; the wind was Westward, which *Fairfax* designed to get, and therefore drew down into a large fallow Field, Northwest of *Naseby*, flanked with a hedge, and from thence for more advantage retreated to the side of the Hil which made the King fall on the sooner: His Army marshelled in this manner, His Majesty in Person commanded the main Battel; The right Wing was ordered by the two Princes *Rupert* and *Maurices*; and the *Naseby* left by Sir *Marmaduke Langdale*; The Kings Right hand Tertia was commanded by *fight*. the Earl *Lindley*, and Sir *Jacob Astley*; his left by the Lord *Bards* and Sir *George Leslie*; The Reserve of Horse was commanded by Col. *Howard*, behind whom were the Kings Life-guard Regiment of Foot, and Prince *Ruperts* Regiment of Foot on their Left hand. The Parliaments main Battel was led on by the General *Fairfax*; the Right Wing by Lieutenant General *Cromwel*; and the Left by the Comissary General *Ireton*, Sir *Marmaduke Langdale* with the Kings left Wing advanced first, and charged *Cromwel* in the Right wing; the Charge was so hot that they came to close fight, at which *Cromwells* men got the better of it, and forced the other to retreat, but in the mean time Prince *Rupert* with the Kings Right Wing charged so furiously upon the left Wing of the Parliaments Army commanded by Comissary General *Ireton* the most part of which hee totally Routed, pursuing the Chase as far as *Naseby*; In the main Battel likewise *Fairfax* had but ill success; none but his own Regiment standing, the rest falling back to the Reserves, commanded by *Rainsborough*, *Hammond* and *Pride*, and the Kings Foot had clealy got the better of one whole Brigade, had not *Ireton* with his Horse which stood, come in to their rescue, which he could not have done had not Prince *Rupert* by too far pursuing the Horse he had routed, left the Foot naked. But in this Service *Ireton* himself was run through the Thigh with a Pike, and through the face with a Halbert, his horse killed under him, and himself taken prisoner (yet before the end of the fight he escaped) but the Damage done to the Kings Party was worse, for though many of his Tertia's had fought most gallantly, yet *Cromwel* being victorious in the Right Wing against the Kings Left, and Prince *Rupert* having by pursuing the routed Left Wing of the Parliaments Army, left the Foot naked, who were fallen in upon by the Reserves of Horse, the Kings Army was totally broken before Prince *Rupert* came up to their relief, who spent too much precious time in summoning the Train to no purpose. The King himself having done all that possibly in valour could be done in Person, Rallying his Horse and endeavouring still to maintain the Battel, but finding all lost, himself fled out of the Field towards *Leicesters*, his broken Army pursued, many of them slain, and more taken prisoners, and himself from *Leicester* being so closely pursued as enforced to make halt to *Lichfield*. This was the fatal Battel both to the King and his Party, he never after being able to make any considerable Head, but losing Battel after Battel, and Place after place

The Kings great losse.

1645.

Houghton
taken, and
other Succes-
ses.

Sir John
Gell pursued
the Kings
scattered
Forces.

Leicester
surrendered.

Place, till he had lost all in the end: In it were slain on the Kings Party about sixe hundred Common Souldiers, twenty Colonels and Officers of Note, the Earl of *Lindsey*, Sir *Jacob Asby*, Col. *Russel*, and others wounded; four thousand five hundred Common Souldiers, near two hundred Officers of quality, thirteene of the Kings Household Servants and four of his Footmen taken prisoners, besides many Women, twelve Pieces of Ordinance, eight thousand Armes, forty Barrells of Powder, two hundred Carriages, all their Bag and Baggage, store of rich Pillage, two hundred Horle, the Kings Standard, and many other Colours of Horle and Foot, together with one of his Majesties Coaches and his Cabinet of Letters and Papers. Nor came this Victory alone to the Parliament for other smaller Successes came thundering in to them, as the regaining of *Houghton* Garrison near *Grantham*, where diverse Officers of quality were taken prisoners; The beating of a Party of the Kings in *Cheshire* by Sir *William Brereton*, and taking one hundred and fifty Prisoners; The like done by a party from *Shrewsbury*, and taking four hundred prisoners; with other smaller successes. The prisoners taken at *Naseby* Fight were triumphantly driven up to *London*, and there the prisons stuff up with them, and the rest thrust into the Wall of the Artillery ground, where many of them were starved, or died for want of necessaries and shelter. And the Kings Cabinet, which was taken in the Fight, broke open by the Parliament, his Letters Printed and divulged, out of design to render His Majesty odious to the People, by his giving Licence to the Queen to promise some favour to the Catholics here if he might obtain assistance from those beyond Seas; but by doing it, in stead of effecting their intended purpose, they drew a generall obloquy upon themselves, by publishing the secret passages between Man and Wife, contrary to the Rules of Humanity, or common honesty, an Action abhorred by the very Heathens of old: For when the Athenians, in a Battel gained against *Philip of Macedon* had intercepted a Packet of his Letters unto several friends, all those to friends were broken open, but that one subscribed to the *Qu. Olympias* was returned untouched; and so sensible were the two Houses soon after of their error in publishing those Letters, that in the publishing that great Volum of Ordinances, &c. by *Edward Husbands*, the Parliament gave order that those intercepted Letters should bee left out, though those of the Lord *Digby*'s, taken soon after at *Sherborne*, were ordered to be published. But to compleat the Victory, Sir *John Gell*, having during the Fight summoned together all the Forces of *Derbyshire* and *Nottinghamshire*, two daies after the Battel met with some of the Kings scattered Forces, and took fifty Horle, and another party of his fell upon three score of the *Newmarke* Horle, and took four and forty of them prisoners, and fifty Armes, and so came and joyned with *Fairfax*, who was late down before *Leicester*, which he summons, advising the Governour, the Lord *Loughborough*, of the Kings ill Fortune wishing him to surrender to avoid the shedding of blood; that which would necessarily follow the storming of it; but he returns them answer: That it would bee a shame for them to surrender, since if the State of the War were so to his Majesty as they represented it might prove the rather propitious to them, however their opposers should find their Loyalty never a whit abated by the unhappines of his Majesties successe, but they would do their duty to the utmost of their power, which was equal to their Spirits. Upon this resolute Answer *Fairfax* immediately calls a Council of War and concludes the next day to storm the Town; and immediately with incredible expedition surrounds it, raises his Batteries, and provides Ladders and Engines for the Assault. On Tuesday June 17.

his

his Batteries began to play, and likewise they fell to storming in diverse places, especially on the *Newark* side, where the greatest strength was supposed to lye, and at length with their Batteries so widened a breach, that the Defendants began to consult of their safety, and make some overtures of a surrender, so Colonel *Puckering* and Colonel *Rainsborough* were sent in Commissioners to treat, and the City was surrendered upon honourable Conditions.

1645.

CHAP. LXX.

Taunton Relieved; The Insurrection of the Clubmen; Bridgewater, Bath, Scarborough. &c. surrendered to the Parliaments Forces.

THE King, after his unfortunate defeat at *Naseby*, with some small Remnant of his scattered Army retired into *Wales*, there to gather Recruits, whilst *Fairfax* divides his Victorious Army, part to distress *Oxford*, and with the other part marches himself toward the Relief of *Taunton*, which he easily performs, General *Goring* upon his approach still drawing off his Army, and giving him room to enter the Town without resistance; but in his march thither he found the Clubmen, a rude Rabble of the Countrey people of *Wiltshire* and *Dorsetshire* gathered together, to the number of four or five thousand, but most of them armed with no other weapons than Scaves, Clubs, and Pitchforks: who grew so insolent, that they forced the Parliaments Quarters in those Counties, especially at *Sturminster-Newton*, seized upon all the Houses in the grounds, and thus continued in a posture of defence. Thole two Counties had indeed more than any two in *England* been made the seat of the War, now under the power of the King, and soon after under the Parliament, and forced to pay contribution to both, so that between them the poor Countrey was miserably Harressed, and almost utterly undone, and therefore they thus rise up in a Body, refusing to pay contribution to either Party, and so formidable were they, that *Fairfax* was almost in a doubt whether he should passe to the Relief of *Taunton* or no, their Numbers being so great that they were thought worthy the Parliaments particular consideration, who at a conference concluded on two Letters to be sent to the chief of the Clubmen, wherein they acquaint them of the intentions of the Parliaments Forces in general in opposition to the King, and of the present design to advance the Relief of *Taunton*, and that done to leave the Countrey in defence and quiet, and therefore requiring the Courtrey-men to retire to their Habitations, promising that they should not be questioned for this Insurrection & Tumult, in case they should speedily submit to that Order; otherwise their Commanders, *Fairfax* and *Massy*, were to take all advantage to force them, and to bring the chief Actors to condign punishment, if it should be necessary to execute Martial Law upon them. This Order of the Parliament somewhat frightened them at first, but soon after, growing stronger, they take upon them a publick Cause, and endeavour an Association in all Countreys, and send Commissioners both to King and Parliament; and to General *Fairfax* they send one Mr. *Hollis* as an Agent to desire a safe conduct for their Commissioners, who were *Melchizedeck Walkham*, and *Richard Cook* Tub-preachers; *Thomas Trenchard* and *Robert Cullisford* Esquires; *George Haule* and *Richard Newman* Gentlemen; who, with their Petition, present to the General some Articles devised by themselves for the Association of the Counties independent of either Armies; Their

Articles

The Civill Warres

1645.

Articles in effect were : That those associate should find Arms for themselves to be at peace, unlesse in opposition of disorderly Souldiers on either side to be brought to the next adjacent Garrison ; That they would submit to Quarter and Contribution to their abilities till their Petitions were preferred and timely answered : That they would not favour any Party, nor protect any not so associated. Their Petition then contained these severall heads : That a Treaty should be renewed between King and Parliament ; That the Garrisons of *Dorset* and *Wiltshire* be put into their hands till the King and Parliament should agree about disposal of them ; That they might be freed from all Charge but only the maintenance of those Garrisons ; That all Laws not repealed should be in force to be executed by the ordinary Officers ; That all men who desired it, might lay down Arms, and others who had absented themselves from their dwellings might have liberty to return home. To these desires of theirs the General, by advice of the Committee of Parliament residing in the Army, returned answer : That although the Paper brought him, not being subscribed, could not challenge any answer, yet to clear himself from averfensesse to the satisfaction of the Countrey, who were pretended to be entrusted in those Petitions, he returned : That his affections, and the affections of his Army, were as much inclined to peace as any mens whatsoever ; That they undertook the War for no other end than the establishment of a firm and happy peace, by opposing the enemies thereof, and that he should be ready, so far as it concerned him, to further all lawfull means to procure it ; That having seen the Petitions, for the conveyance of which a Letter is desired, he must professe himself not so well satisfied with some things contained in them as to concur to their delivering it by any Act of his. First, In particular, That a Cession was desired, whilst by the Letters written by the King and Queen (taken at the Battel at *Naseby*) it evidently appeared that contracts were already made for the bringing in ten thousand French, and six thousand Irish. Secondly, that it was further desired, that the Garrisons in those parts, whereof three are Sea-ports, should be delivered up to the Petitioners to grant, which would be for the Parliament to acquit part of the trust reposed in them by the Kingdom ; and, considering those foreign preparations, to run very great hazards of these Ports to themselves and the whole Kingdoms. To that further Proposition, that liberty be given to all souldiers to disband and return home, it might with equal justice be desired by all parts of the Kingdom, and so the Parliament made unable to manage the War, before Peace were settled ; and these considerations, with some others yet to be debated, would not permit him to grant the desire of their Letter : But to the other part of their Petition, which declared the grievances of the County, by plunder and violence committed either by Garrisons or Armies, he did hereby promise and undertake for the Garrisons and Armies under the command of the Parliament, that whatsoever disorders were committed by them, upon complaint, making known the offences, and persons, justice should be done, and satisfaction given ; And he should likewise endeavour, that the Parliaments Garrisons might be regulated according to any reasonable agreement with the Countrey, and he did not doubt but the Parliament would cause them to be slighted so soon as the condition of these parts, and the publick good should permit : and that in the mean time the Army under his command should be ordered as might be most for the good and advantage of those Counties, and the whole Kingdom, of which some reasonable testimony had been already given in their quiet and orderly passage through these and other Counties

Answer to
the Club-
mens griev-
ances.

Countries, without many of those complaints which usually follow Armies. To conclude, he desired, that in the publishing of this his answer to their request, all assembling of the people to publick Rendezvous might be forbore, and that Copies hereof might be dispersed to the several Parishes, that the Country might be acquainted therewith. Having given this answer to the Clubmens Articles and Petition, he marches forward to find out *Goring*, whilst the Clubmen fall out with the Governour of *Lincoln*, a Sea Town in *Dorsetshire*, who sending to them to disband and return to their homes; they in scorn tore his Message; whereupon a bickering ensued nigh *Bridgeport*, wherein some scores were slain on both sides; it was said, that this diffidence was incited, and some Officers lent them, by *Goring*, who upon the noise of *Fairfax* his coming, had drawn off all his Forces from *Taunton*, and was marched to *Langport*, there expecting a Party of Horse and Foot from the King to joyn with him, which conjunction *Fairfax* made it his endeavours to prevent, & therefore resolved to force him to fight before they could come up, to which end *Massej* who was quartered at *Matrobc* with about four thousand of the Army, advances about and falls into the very Rear of *Goring*s Army, and takes some Prisoners, whilst in the mean time *Fairfax* with the rest of the Army comes within a mile of *Langport*, and not knowing of *Massej*s Engagement, who was quartered on the other side the River, on the tenth of *July* in the morning, draws out several Regiments of Horse, and most of his Foot in *Sutton* Field, whereupon *Goring* perceiving his resolution, possesse himself of a very advantageous passe by a hedge, which he lined with Musquetiers, whereby he hindered the conjunction of both Armies, and likewise gave him the advantage of Retreating honourably (upon occasion) to *Bridgewater*, and drawing off his Ordinance and Provisions; but his Foot which had lined the Hedge, were soon beaten from their Post, & so the Enemies Horse advanced with more security, Major *Bethel* with a single Troop forcing the Pass, and followed by others charging upon *Goring*s main body, who stood ready in a Lane to receive them; and did it gallantly, forcing them to retreat to their main body for help which was soon brought them by Colonel *Desborough*, who with four hundred Horse of the Generals Regiment, gave them so sharpe an encounter, that *Goring*s men not able to endure that and their other fresh assaults, retreated towards *Bridge-water*, *Fairfax* pursuing them, and taking divers prisoners, several Collours two pieces of Ordinance, and some Carriages for Ammunition; there were slain on both sides about eleven hundred, the number on each side not much unequal. *Goring* from *Bridge-water* marched away towards the North of *Devonshire*, and at *Minard* joyned with *Greenville* and *Berkley*, making in all six thousand strong whilst the Prince and *Hopton* were gone down into *Cornwall*, to raise the Country, and *Fairfax* advances to the siege of *Bridge-water*, sending first propositions to the Clubmen (who were near two thousand of them, up in a body, between that Town and *Bristol*) that the Kings Forces in *Bridge-water* might not be supplied by them, and for his men, they should have nothing of them but for necessary subsistence, and to be paid out of the first moneys which was expected dayly from the Parliament, and Justice should be done to any that offended them. But they continued still in a Body, and returned him a very doubtful answer; notwithstanding which, he marches on towards the Siege, and in his way takes *Burroughs* Fort upon conditions, and then lies down before *Bridge-water*, but without doing anything, till the three and twentieth of *July*, that money was come from the Parliament to pay his Army, who before were very fullen; then he surrounds the

Fairfax and Goring en-
gaged.

Goring re-
treats.

Bridge-water
besieged.

The Civill Warres

1645.

The gallan-
try of the de-
fendants.

the Town, having before sent a summons, which was stoutly and resolutely answered with a denial, whereupon he resolves to storm, but his first on-lets were so gallantly received by the Gentlemen within, (such were *Si. Hugh Windham*, *Si. John Digby*, *Si. John Stowell*, *Si. John Hales*, and *Mr. Thomas Elliot*) that the General began to consult whether he should endeavour the gaining the place by Siege or Storm, till being informed by some fugitives from the Town, of the great store of Provvisions they had, where-by he must be forced to spend more time in a Siege, then he could well spare, he resolved to storm, and so that night drawing out his Foot, and ordering the manner of the assault, at two a Clock the next morning, the assault began, the Generals Regiment leading on, on that side, and Gallantly fixing his Colours on the top of the Workes, gained the Platform and Guns, and immediately opened the draw bridge for *Captain Reynolds* and his Troop to enter, who leoured the Streets, and forced the defendants to the upper part of the Town, but *Massey* was repulled on the other side of the Town, and the Besieged no whit daunted with the losse, of the lower Town, with an admirable Courage and Resolution still continued to throw their Granadoes, and other combustible things into it, till they had not left one Houle unburnt to shelter their Enemies: whereupon a second Summons was sent, together with some overtures of a Parley from the General, his Trumpet telling them, "That hee was moved in compassion to spare the effusion of more blood, and to save the Inhabitants what was left from confusion. But this prevailed nothing, the Defendants resolving rather to die then yeeld, whereupon a second storm was resolved, and both sides the Town were assaulted by break of day, but the Tide being unhindered any effects, besides some losse of the assailants in their attempt: The General therefore Summons them again, and a Treaty pretended in favour of the Women and Children from the bloody destruction like to ensue: Whereupon the Lady Governesse, the Lady *Haule*, *Mis. Maire*, and some others of quality, were permitted to quit the Town, and the next day the General finding that by storm he could not prevail, attempts it by firing, and therefore with all their great Guns, Morter-pieces, Fire-balls, Hot Irons, with help of the wind, fired the upper Town in four several places, which put the defendants in some terror, and *Mr. Thomas Elliot* was sent down to the General for a Treaty, but they having twice refused his proffer of Treaty, he would now condescend to nothing but Fire and Sword, till at length the fire quenching, a cessation was agreed on, and the Town surrendered upon fair quarter to march out, leaving behind them such Plunder and Ammunition as escaped burning, which proved but very little. This Town taken, the General marches away towards *Bath*, which on the last of *July*. was likewise surrendered to him upon Articles, and lying with his head Quarters at *Wells*; he likewise sends out a party to view *Sherbourn*, and having Recruited his Army, himself sits down before the Castle; after a fortnights Siege, makes a breach in the Wall near thirty Foot, whereupon he summons *Sir Lewis Dives* the Governour to surrender, but he being refused, Storms, and after a sharpe encounter enters, and possesses himself of it with the Governour, *Sir John Strangemain* Son to the Lord *Paulet*, *Captain Fussell*, and others his Prisoners. Thus ill sped the Kings affairs in the West, and as bad in the North, where *Carlisle* under *Sir Thomas Glenham* the Governour having long endured a violent Siege, was surrendered to the Parliament upon honourable conditions, the Garrison to march off in a Warlike posture to *Newmarke*, though it was impossible they should hold out much longer, their

Bridge-wa-
ter surren-
dred.

Bath.

And *Sher-
burn* taken
by storm.

And *Car-
lisle* surren-
dred.

of Great Britain and Ireland,

161

their Provision and Ammunition being both nigh spent, their men lested by War, and sickness, and those left weakened for want of Provision; so on the twenty eight of June, it was delivered to the Parliament, and soon after on the one and twentieth of July, the famous Castle of Pontefract followed its fortune, being after much time and cost surrendered for want of Provisions, to Major General Poynes, the terms honourable, the Garrison to march to Newark, with safe conduct as far of Doncaster. In the requital of this service, the Lords at Westminster had Voted the command of this Castle to Poynes, but the Commons to thwart them, first bestowed it on Sir Thomas Frisfax; not long after this Scarborough strong Castle under went the like fate, having been long besieged by Sir John Meldrum the Scot, who laid his bones under the Walls of it, and after him by Sir Matthew Boniton, to whom out of hopes of relief it was surrendered by Sir Hugh Cholmely the Governour upon honourable conditions: Rabby Castle was likewise taken by the Parliament upon like Articles; so that now the King had no Garrison left in the North of England, besides Skipton and Sandal Castle, and both besieged. These surrenders made a Holy-day at London, the Parliament usually creating a day of thanksgiving for every bloody success.

1645.

And Pontefract Castle.

And Scarborough Castle.

And Rabby Castle &c.

C H A P. LXXI.

The Scots besiege Hereford, they are discontented; Bauton Heath fight, Bristol surrendered by Prince Rupert, several Garrisons taken by Cromwell, and other successes of the Parliaments Forces.

THE Scots were by the Parliament, to remove them from the Northern Counties, ordered to march towards Hereford, to reduce that City to the Parliaments obedience which was now kept with a strong Garrison for the King, under the Command of Sr. Barnabas Scudamore, and this was accounted a Town of great consequence to the King, receiving contribution of the Country all about. On the thirtieth of July the Scots came before it, when their Forlorn Hope, were charged by a Party of twenty horse from the City, and Forced to retreat to their main Body; soon after the whole Body of Horse facing the City they were welcomed with the great Guns from the Walls; and the Foot not being discovered, a party from the Garrison, went out lined the Hedges, Galled the Scots in their passages to the Fords, retreated and ensafed their Ports: the next morning the Scots having surrounded the Town, Their General Leven sent a summons to the Governour, telling him, that their appearance in that posture was for no other end but the settling of truth with Peace in England, without the least desire of shedding the blood of any Subject, therefore this was to summon him to deliver up the City unto him for the King and Parliament of England, if here in hee was wise and happy, he might have conditions honourable and safe, otherwise all the world would acquire them (the Scots) of the manifold inconveniences; hee bids him therefore consider his own condition, and those under his Charge, whose blood would be required upon his account, and return him answer within three hours. Another Letter of Summons he likewise sent to the Major, containing likewise certain propositions, as appears by the Governours answer, who returns him, "That he was not to give up the Kings Garrisons upon any summons or Letter, nor should it be in the power of the Major or any other to condiscend to any such propositions made unto them. That

" he

1645.

Major General Crawford slain.

Dr. Scudamore killed.

The Siege raised.

Scots discontented.

“ he was set there by the Kings Command, and would not quit it but by special Order from his Majesty or the Prince, in which resolution he was resolved to persist; Hereupon the Scots began their approaches very slowly, and often suffered loss, both by the great Guns from the City, and Sallies of the defendants, but the Scots endeavoured to get the Town as cheap as they could, and therefore they got some Gentlemen of the Country by a very compassionately perswasive letter to Court the Major and Aldermen to surrender: But this trick being answered with a neglect, they continued their Line of Communication, and begun to raise their Batteries at Wybridge, where they received most damage, here their Major General *Crawford* was slain, which so angered them, that they played their Guns upon the Gate, without any other effect, then rendring it unlesse it being soon stopp’d up with Woolpacks and timber; they likewise endeavour to undermine, but in vain, so they fall again to their old slight; three Gentlemen of the Country write a Letter to Dr. *Scudamore*, with whom upon safe conduct the desire to talk, and being admitted, would needs perswade the Doctor to be a means that the City might be surrendered to the Victorious Scots, but being laughed at, the Doctor at their parting accompanied them out of the Gate, where he fell by an unfortunate shot from the Scots, who still continued their Batteries, and received several sallies from the Besieged, till the first of September at night, when *Leven* having the day before made show of preparing all things for a storm, departs and raises the Siege, upon pretence of the Kings drawing towards *Worcester*, but in truth *Lesley* had received advice upon advice, of the wonderfull successes of the Marquess of *Montrose* in *Scotland*, and had now news of his taking the City of *Edinburgh*, so that all was like to be lost if hee hastned not to their Relief, which was the chiefground of his to suddain raising the Siege, and marching Northward, till he sent *David Lesley* with all his Horle, (now from two thousand brought out of *Scotland*, encreased to six thousand) who by the Treachery of *Roxborough* and *Traquair* (who notwithstanding their Treasons, were still great confidents of the Kings) surprized the Marquess, and routed him as hereafter more at large. But the Scots, at least their General *Leven*, had been curbed by the Parliament for his presuming, being a hireling, to grant Commissions for the raising and leavying of Forces in *England*, which action the Parliament so resented that they Voted; “ That the Scottish Army in *England* had no power to grant Commissions to any persons for raising of Forces within “ this Kingdome; and that all such Commissions were and should be Void. Which vote so angered *Lesley*, that he refused to lay Siege to *Newmarke* according to the Parliaments Order, which made them second their first Vote with another. That if the Scottish Army in this Kingdome, should sit down before *Newmarke* by the first of *November* next, the sum of thirty thousand pound should be advanced for them, otherwise not, and more then this, the Scots General *Leven* was somewhat curbed in his own Quarters concerning one Mr. *Cafe*, who was to be tried there by a Council of War, upon which the Parliament after much debate Voted: That the Scottish Army in this Kingdome, had no power to try an Englishman by Martial Law, and that Mr. *Cafe* ought to have satisfactions here in. These things had so angered *Leven*, that he marched away (as I said before) from *Hereford*, directly Northward, where there was no need of his Service, and at first refused to come towards *Newmarke*, the Siege of which the Parliament had ordered them so that apparent differences began to arise, which made the Parliament draw up a Declaration, intimating, That the Houses will observe, and desire to continue the Assistance,

Amiry,

of Great Britain and Ireland,

163

1645

Amity & Friendship betwixt both Kingdoms, according to the Solemn League and Covenant. That the residing of the Scots Army in *Yorkshire* where they now were, was not so usefull to the Kingdoms, as if they sat down before *Newmarke*, neither ought they to lay Taxes on the Country where they came, without making satisfaction. That *Carlisle*, *Turby Castle*, *Hartlepool*, and other Garrisons in the North, then in possession of the Scots, were to be disposed according to directions of Parliament; That if the Scots Army sat down before *Newmarke*, according to a former Vote of the House by the first of *November*, they should have forthwith thirty thousand pound towards their pay. That Commissioners should be appointed to treat with the Scottish Army, to deliver up all the English Garrisons in their hands, to the Parliaments Commanders: This last they obeyed, but resent highly several of the former passages, and in some part of revenge, earnestly press the Parliament to settle Church matters according to the National league and Covenant, but at last were contented to gain their pay to march towards *Newmarke*, and lay Siege to it. But to continue our history in order, and return to His Majesty whom we have for some time left gathering Recruits since his Fatall overthrow at *Naseby*, which with the remainder of His broken Forces, he at length compelled into a flying Army, coasting up and down the Country, now here, now there, Alarming His Enemies in every place; but before they could gather into a Body, gone another way, still mustering as he came; first coming from *Wales* to *Leitchfield* and in his way Skirmishing with the Scots Horse and Dragoons at *Browdy*, then wheeling about to *Tedbury*, and *Asburn*, the beating up *Mr. John Gells* Quarters, and so to *Huntington*, which he surprised on Sunday in the afternoon, whilst the too Religious Souldiers were hearing a long winded Presbyterian preach, though he found some little resistance at the bridge, to their cost who kept it, the Captain Lieutenant, and most of his men being slain, and the Town forced to submit to a Ransome; from hence he marched to *Cambridge*, where he found the like success; thence to *Ouburn*, in his way finding *St. Ives* in five hundred pounds, and so dividing His Forces into several Brigades; Himself took the way to *Oxford*, where beeing arrived, He found severall of his Nobles to have unworthily deserted Him, and run away to the Parliament, upon hopes that they would be as good as their Words in their late propositions of Peace to His Majesty, wherein they declared that all such as forsook the King should be received upon payment of the tenth part of their Estate; but they being come to *London* (at least many of them) found the contrary, so that many of them were at their coming clapt up, the propositions not serving the turn without passes, Which made many of them yet seek so Numerous Passes from the Parliaments Commanders, Which made the House of Commons increase their Fines, to Conditions, That those who came not in by the first of *September*, should pay the fifth part, and those who were to be received upon the payment of the third, should now pay one half of their Estates. Rightly were they served, for, deserting their King and Countrey; but the King finding the Spirits of his friends here now grown factious, and guided by self interest, only to save themselves, finds it not at all delightful to stay at *Oxford*, but having well Recruited himself advances towards *Wales*, and on the 29. of *September* arrives at *Ludlow*, from whence he Marches to the Relief of *Chester*, now again besieged by *Sir William Brereton*, and others for the Parliament, Major General *Ponier* being with a party of Horse appointed to attend his Majesties motion, who hastens his pursuit after him, hoping by the help of the besiegers to engage

Newmarke
besieged.

Huntingto
Cambridge sur-
prized by
the King.

The King
deserted by
severall
Lords.

The Civill Warres

1645.

Banton
Heath fight.The Kings
retreat to
Chester.Cromwel
routs the
Clubmen.Bristol be-
sieged.Pontefhead
Port taken.

his Majesty in a Battell, and had his desire, for the King making a halt on *Banton-Heath*, engaged *Poines* to an encounter, easily worsted him, and forced him back, till Colonel *Jones* and *Louthian* from the Leaguer, falling upon his Majesties Rear (upon the signal given) with five hundred Horse, and three hundred Foot, who giving encouragement to *Poines* to Rally, so encompassed the King both Rear and Front, that overpressed with numbers, He was forced to retreat into *Chester*, which he finds so much weakened with the enemies continual Batteries, and the Mines ready for springing, and *Brereton* resolved for a storm, that thinking it not secure for him to stay there, He takes leave and marches back into *Wales*. During these past transactions, the Clubmen emboldened; increased into several Bodies about the Western Counties, some of whom had been taken prisoners at *Shafsbury*; about the returning of which, whilst the rest were disputing (and their Captain Mr. *Newman* threatening that ten thousand of their confederates were up together in the Counties of *Dorset* and *Wilt*, resolving to secure themselves from all outrage and plunder) comes *Cromwell* with a party of Horse, and suddenly sets upon two thousand of them, who were gotten together upon *Hamilton Hill*, who were got together, and encamped within an old Trench, to these he first lends a Forlorne Hope, of fifty Horse to parley, but they were answered with nothing but Bullets, then lends he a second and third Message, but finds no other answer then those at first had received; he therefore draws out a party to fall upon them, and whilst they were disputing with these in a narrow passage, Major General *Desborough* wheels about into their Rear, beats them from their works, kills some, wounds others, and takes about three hundred prisoners, who were sent to *Sherbourn*, yet this defeat obstructed not their risings, but they still grew more and more formidable, so that the Parliament (though they still pretended to stand Neuters) fearing least they should joyn with the Kings Party make an ordinance: That it should be held Treason for any persons to convene and assemble together in a Warlike posture, in any parts within the power of the Parliament, without the directions and approbation of Parliament, or some Authorized by them; and therefore giving Authority to their Forces, to seize such men and their Leaders, and bring them to condign punishment. After this exploit upon the Clubmen, *Cromwell* joyns with *Fairfax*, who after the taking of *Sherburn*, had called a council of War and resolved upon the Siege of *Bristol*, into which Prince *Rupert* having squandered away his Army was retired, a great oversight in a General of the Kings Forces, to shut himself up in a Town, for whom it had been far more proper to have been abroad gathering together the Kings old Souldiers, and raising new Recruits. On the twenty fourth of *August*, *Fairfax* comes before it, fixing his head Quarters at *Chevre*, whilst *Ireton* with four Regiments of Horse, one of Dragoons, and five hundred Foot, undertakes to beleaguer that side next *Glocester*; but before they were sieled, the Prince sallied out, forced some of the Enemy to retreat, and fires *Bedminster*, and some houses of the Suburbs in *Temple-Street*, to this Siege the Clubmen came in to assist *Fairfax*, who no sooner secured in his quarters, but he fell upon a Fort very near the Town called *Porteshed-Point*: which after some losse on his part, had rendred unto him with six piece of Ordinance, one Demiculverin, one hundred and fifty Arms; the Garison Souldiers who were not above forty, having liberty to march home. This Fort was of much consequence to the Leaguer, Commanding the Port, so that soon after seven of the Parliaments Ships entered the *Severn*, and Anchored in the Kings Roade, so blocking up the

of Great Britain and Ireland.

165

1645.

the Town on that side. This possessed, *Fairfax* after having sought the Lord (for now their intentions began to grow blacker, their pretended zeal and piety was greater) by fasting, resolves a storm, but first summons *Prince Rupert* to surrender, to save bloodshed, and prevent the ruine of the City. To this *Prince Rupert* desires to have time to send to the King; but that being refused, he sends propositions to the General, upon which terms he would surrender; to wit, That every man might march away in the height of honour, with Flying Colours, Drums beating, Trumpets Sounding, Matches Lighted, Bullet in Mouth, &c. As much Powder and Match as they could carry about them, with Bag and Baggage, Horse and Arms, ten Guns, fifty barrels of Powder, &c. And that the lines and fortifications might be slighted, and the Town no more a Garison. To these demands *Fairfax* returns answer, That he perceived he declined to treat by Commissioners, that for him to return in writing doubts and exceptions to the propositions, expect his answer and return a Reply, would take up more time than he was willing to spare; that to avoid such delay, and reduce all to a resolution, he had now sent what he was willing to grant, and beyond which he might not go, nor from which he should not recede; that he had observed the order of his propositions, and upon every one had granted what was honourable for his Highness, or the safety of the City to have, and fit for him in honour and faithfulness to those he served, to grant. That by this he hoped to have cleared himself to God and the world, from the evil that was like to come in case of his refusal; that if he accepted these terms, he had sent two copies, the one to be returned, signed and sealed by his Highness before six a clock in the evening at farthest, otherwise he should account himself disobliged; But *Prince Rupert* returned no answer till the next day at five a clock at night (though the conditions proposed by *Fairfax* were as honourable as the *Prince* desired, save only in that particular of slighting the Fortifications, and discontinuing it a Garison) and then too not satisfactory: his delay was supposed to proceed out of design to finish his counter scrapes & lines, which with all possible speed he hastened night and day, but the Treaty producing no effect, that night the storm began, in three places on *Somersetshire* side, by the Regiments of *Fortescue*, *Herberts*, *Tolby* and *Wrey*. At *Lawford* gate, by the Generals Brigade, Commanded by Collonel *Montague*, consisting of the Generals, *Montagues*, *Pickeringes*, and Sir *Hardres Wallers* Regiments; and on this side the River From by Collonel *Rainsboroughs* Brigade consisting of his own, *skippons*, *Hawmonds*, *Birchies*, and *Barkeleys* Regiments: and two hundred of this Brigade were to go by Boat with the Seamen to storm the water Fort, and a Regiment of Horse and Foot, to move up and down before the Fort Royal, to Alarm them within, and some Horse were likewise set to attempt the line by *Clifton* and *Washingtons* breach. The storm thus ordered, on they fell, and after some sharp encounters carried the Town, the Foot entering first, and the pioneers soon making way for the Horse, who forced the defendants to the Castle, from whence *Prince Rupert* the next day sends to Parley, and before night concludes a Surrendry, upon the same conditions in effect as were before offered. The delivery up of this City and Castle, so strongly fortified, so well manned and so furnished with all sorts of necessary provisions, so startled the King, that it was supposed by many that he had some suspicions of his Nephews disloyalty, and indeed his resentment of it wrought so much, that immediately upon the news, the King passed away a Messenger to the Lords at *Oxford*, to displace Collonel *Legg*. (a great favourite of *Prince Rupert*) from the Government

Town taken by storm.

Castle surrendered.

1645.

verment of that City and Garison, and to invest Sir *Thomas Glenham* in the command of it, that which encreased the Kings Jealousie of Prince *Rupert* the more, was his having sometime before earnestly pressed him by Letter to come to a conclusion with his Parliament, without relating either to terms of honour or conscience, as may appear by the Kings answer to him from *Cardiffe*. August 1645. Thus,

CHARLES REX.

The Kings
Letter to
Prince Ru-
pert.

Nephew, this is occasioned by a Letter of yours, which the Duke of *Richmond* brought me last night, and first I assure you that I have been, and ever will be carefull to advertize you of my resolutions as soon as they were taken; and if I injoyne silence to that which was no secret, it was not my fault, for I thought it one, and I am sure it ought to have been so. Now as for your opinion of my businesse, and your council thereupon, if I had any other quarrel, but the defence of my Religion, Crown and Friends, you had full reason for your advice: for I confesse that speaking either as a meer Souldier or States-man, I must say there is no probability but of my ruine, yet as a Christian I must tell you that God will not suffer Rebels and Traitors to prosper, or this Cause to be overthrowen, and whatsoever personal punishment it shall please him to inflict upon me, it must not make me to repine, much lesse give over this quarrel; and there is as little question that a composition with them at this time, is nothing else but a submission, which by the grace of God I am resolved against what ever it cost me; for I know my obligation to be, both in conscience and honour, neither to abandon Gods cause, nor injure my Successors, nor forsake my Friends; Indeed I cannot flatter my self with expectation of good successe, more then this, to end my Dayes with honour and a good conscience, which obligeth me to continue my endeavours, as not despairing that God may yet in due time avenge his own cause, though I must avow to all my friends that he that will stay with me all this time, must expect and resolve either to die for a good cause, or (which is worse) to live as miserable in maintaining it, as the violence of insulting Rebels can make him; having thus truly and impartially stated my case unto you, and plainly told you my positive Resolutions, which by the grace of God I will not alter, they being neither lightly nor suddenly grounded, I earnestly desire not in any wise to hearken after Treaties, assuring you as low as I am, I will do no lesse then what was offered in my Name at *Nesbridge*, confessing that it were as great a miracle that they should agree to so much reason, as that I should be within a month in the same condition I was immediately before the Battel at *Naseby*; therefore for Gods sake let us not flatter our selves with these conceits, and believe me your very imagination that you are desirous of a treaty will but loose me so much the sooner, and therefore as you love me, whatsoever you have already done, apply your discourse hereafter, according to my Resolution and Judgement. As for the *Irish*, I'll assure you they shall not cheat me, but it is possible they may cozen themselves, for be assured what I have refused to the English, I will not grant to the Irish Rebels, never trusting to that kind of people of what Nation soever, more then I see by their actions, and I am sending to *Ormond* such a dispatch as I am sure will please you, and all honest men, a copy thereof by the next opportunity you shall have. Lastly, be confident I would have not put You nor my Self to the trouble of this long Letter, had not I a great estimation of you, and a full confidence of your friendship.

But

of Great Britain and Ireland.

167

1645.

Cromwel
takes the
Devices.
And Win-
chester.

But it seems nothing but a cloudy and dismal fatality hung this year over the Kings Affairs, His fortune was wholly in the wane; for after the taking of *Bristol*, *Fairfax* and *Cromwel* dividing the Army, the first marches towards *Exeter*, where for some time we leave him. *Cromwells* first attempt was upon the strong Castle at the *Devises*, which after several Batteries, on the 23th. of *December* was surrendered to him upon honourable terms: thence he flies, and on the twentieth eight of the same month comes before *Winchester*, which is likewise surrendered to him upon composition the next day; and the Castle, whither the Souldiers retired, was soon after delivered by Sir *Thomas Ogle* the Governour, somewhat unworthily in some mens judgements, considering that it was so well stored with Arms, Ammunition & Victuals, in so much that he himself had bragged that he durst bid defiance for six months to all the Armies in *England*; But hearing of the taking of *Bristol* and *Bridgewater*, he changed his resolution, affirming it could be no dishonour to him to give up the weak Town and Castle of *Winchester*, when such impregnable places as those were not able to make resistance, and so it was surrendered. Next goes *Cromwel* to *Bazing House* (which had so long and so gallantly withstood the several Sieges and storms of *Morley*, *Norton*, and *Waller*, and being sit down before it, orders his Army to their several Posts, at six a clock at night upon the signal given; they all fall on at once; takes first the two out Houses, at length enters and possesses all, taking the old Marquee, and all within it Prisoners, with more wealth then any single Garison in *England*; and to make the Kings ill fortune compleat every where, he finding his affairs so desperate in *England*, divided that small Army he had left, giving considerable Forces to the Lord *Digby* and Sir *Marmaduke Langdale*, suppled upon design to joyn with the Marquee of *Montrose* (whilst himself with his Brigade retreats to *Warwick*) whose wonderfull successes in *Scotland* had made him Famous: that night they went through *Doncaster*, and lodged at *Scawby Lees*, and by long marches from *Bliss*, *Wallop*, and *Balrick*, amazed the Parliaments Forces, who imagined they were intended for *Chester*; but hence they wheeled off and beat up a Guard of the Parliaments at *Sherburne*, who gave the Alarm to the rest of the Parliaments Forces thereabouts, commanded by Colonel *Copley*, who by day-light marches towards *Ferry-bridge* to keep that pass secure, and to joyn with some Foot, and to that end sends away post to *Pontefract* to draw off the Foot to *Caywood*, lest the Cavaliers should surprize them, but this warning came not to those Foot though it came to *Pontefract*, so *Digby* got the *Ferry-bridge* before the enemy, surprized seven hundred Foot there, & many more at *Milford* and *Sherburn*, shattered Col. *Wrens* Regiment of Horse, & took many prisoners; But *Copley* coming to *Pontefract*, & hearing that the Cavaliers were passed, draws out a strong Forlorn, to joyn with those who were sent before with orders, & commands the to advance with all speed to bring the Cavaliers to a stand, whilst himself with his Body marches after to *Milford*, where from his Forlorn, he understands that all his other Foot were lost, whereupon seeing no way whereby he might with safety or honour retreat, & not daring to adventure through *Milford*, lest there might be some Dragoons, he wheels about to the west end of the town to keep his Body firm, & so marches towards *Sherburn* to engage *Digby*, & in their way light on a deep ditch unpassable, so that they could not draw up, but in hast and disorder, but the Cavaliers businesse about their prize recovered them that disadvantage, and so both being ready together, they charged *Copleys* Regiment, being at first well beaten, but having Reserves and being fresher than the Cavaliers in the end

Digby routed at Sherburn.

over-

1645.

Again ut-
terly routed
on Carlisle
sancti flies
to Ireland.

Beauvoir
Castle sur-
rendered.
And Latham
house.
Hereford
surprized.

overpowred them, and routed them, took four Colonels, and severall persons of quality, among which was the Countesse of *Niddisale*, together with *Digbys* Coach and Hories, and his Cabinet of Letters concerning the Irish affairs, after published by Parliament, Copley after this Victory, returning Southward, to joyn with *Rosier*, both to leek out the King who was then reported to be about *Newmarke* with fifteen hundred Horie, and *Digby* with the remainder of his shattered Brigade, making towards *Scotland* was met with upon *Carlisle Sands*, utterly routed, himself escaping to the Isle of *Man*, and from thence to *Ormond* in *Ireland*. Nor were these losses sufficient to discontent the King, but to increase them, in stead of pursuing his and their Enemies, his Friends fall out at *Newmarke*, about the Lord *Digby*, who being routed and fled Northward as wee have said, General *Gerrard* laid somewhat to this effect: That he was a Traitor, and had abused the Kings Service. The Lord *Bellasis*, who was lately made Governour of *Newmarke*, in the place of Sir *Richard Willis*, took *Digbys* part, whom the two Princes, *Rupert* and *Maurice* likewise opposed; and so High the Dissention grew, that they came to drawing of Swords, when the King comes in and ends the fray for the present, but encreases the Discontent by siding with *Bellasis* for *Digby*, that the two Princes, General *Gerrard*, the Lord *Hawley*, Sir *Richard Willis* and severall other Persons of quality laid down their Commissions, and retired to *Worton Houle*, fourteen miles off *Newmarke*, and there, standing upon their guard, subscribe to a Declaration: That if they could procure their passe beyond Sea they would engage their Lives and Honours never to return and take up Arms against the Parliament; And in pursuance of these intentions the two Princes send Sir *William Valentine Col. Osburne*, and some others to treat with Major General *Poines*, by whom they write Letters to the Parliament, subscribed in all their Names by *Rupert* and *Maurice*; and their desires being easily inclined unto by the Parliament, they give Order to Col. *Rosier* to grant them their passes according to the tenour of the late Ordinance by them made: That all persons going beyond Sea by Warrant of either Houses, and afterwards returning to take up Arms against the Parliament, should neither have pardon nor quarter given by the State. Thus discontented the King so many of his chief Officers, and guarded with 300 Horie from *Newmarke*, returns to *Oxford*; these Horie in their way back again were met with by Major General *Poines*, and totally routed, the very same day, viz. the sixth of *November*, that hee advanced to the Siege of *Beauvoir Castle*, takes their Stables, out-Houses, and Works by storm, yet the Castle held out till the second of *February*, when upon honourable conditions it was surrendered by Sir *Jervas Lucas*, the Governour: and on the fourth of *December* this year *Latham Houle*, which could not be enforced by two whole years almost continued siege, being reduced to utmost straits, was now by the Noble Countesse of *Derby* surrendered to the Parliament; and to adde yet to the Kings ill Fortune, the town of *Hereford*, which had so stoutly resisted the Scots Siege, was now taken by a warlike surprize by Col. *Birch* Col. *Morgan*, Governour of *Glocester* in the room of *Massey*, *Morgan* with 1100 Horie and Foot Marching out of *Glocester*, joynd with Col. *Birches*, 900 Foot, and a Troop of Horie, came there by a quick March from thence near *Hereford*, in one day and a night; and having provided themselves of six lusty Fellows with Pike-axes, and the seventh a Constable with a Warrant in his hand to bring those Fellows to work in the Garrison, they lodged them, with 150 Firelocks as near the Gate as possibly they could without discovery and a Body of Horie not far off to second them

of Great Britain and Ireland,

169

1645.

them; at length after a short dispute the Bridge is let down, and the guard beginning to examine those that entered, who begin to bustle, and kill three of the Guard, whilst Col. Birch comes up with his Firelocks and skirmishes, till seconded by Col. Morgan with the Body, they all entered, and possess the Town with little blood on either side, taking in it 11 Peace of Ordnance, good store of Arms, and Ammunition; the Lord Brudenel, and many other Persons of quality, among which was that worthy Lawyer Judge *Jenkins*. Thus ran on the Kings ill successes, as it were, in a continued series; Three months in this year losing him more than he had got in three years before.

CHAP. LXII.

Several Messages and Overtures of the Kings for Peace.

Though the King now, in this general Ebb of his good Fortunes, thought it vain to expect a pacification or Treaty with his Parliament, who in the height of his Successes would listen to so little reason, yet to satisfy his Friends, who out of interest or security were generally inclined to a Peace, He resolved to attempt it, and therefore on the fifth of *December 1645.* he by Message to the Parliament, sets forth his deep sense of the Kingdoms miseries by these civil distractions, and desires that a safe conduct might be granted to the Duke of *Richmond*, the Earl of *Southampton*, *John Ashburnham*, and *Jeoffray Palmer*, Esquires, and their attendants for their coming up to *Westminster* to present such propositions on his Majesties behalf, as he was confident would be a foundation for a happy peace; but though the Parliament in their Answer expressed an equal sense of the sad condition of these Kingdoms, occasioned (say they) by his Majesties absence from them, and protest to use all means possibly for the procuring a safe and well grounded Peace, which they alledged might have long since been effected, had his Majesties intentions been the same with his pretences and expressions, yet they deny the (means offered) the granting a safe conduct for those Lords and Gentlemen, whose coming into their Quarters they pretend might be of dangerous consequence; but they had to shew their earnest desires and intentions for Peace, they had before his Majesties message been in debate of certain Propositions, which were now ready to be drawn up, and which they would wish all expedition finish, and send to his Majesty to sign by way of Bill; but it might easily be imagined how much their good fortune had heightened their propositions, for now they had added amongst the rest, debated one at *Worcester*, several additional Honours and Estates to be placed on their leading Members, and others of their party: to wit, That the Honour of Dukedoms should be conferred on the Earls of *Northumberland*, *Essex* and *Pembroke*; of Marquesses, on the Earls of *Salisbury* and *Manchester*, of Barons, on the Lords *Ferdinando Fairfax*, *Roberts*, *Sey*, *Willoughby of Porham*, *Wharton*, and *Howard*; Sir *Thomas Fairfax*, their General, to be made a Baron, and five thousand pound a year settled on him for ever. Mr. *Denzil Holles* to be a Viscount; Lieutenant General *Cromwell* an English Baron, with two thousand five hundred pound per annum, and the like for Sir *William Waller*, and Sir *Arthur Haselrig*, Sir *William Brereton* fifteen hundred pound a year, and *Skippon* one thousand; and had besides set down such hard conditions, and exempted so many of the Kings Party from pardon of either Life or Estate, that the King must, if he condescended to them, be forced to ruin his Friends for the preference of those who had been so bitterly his Enemies;

1645.

but these hard propositions too were so long delayed, though *Tuesdays* and *Saturdays* were set apart for debating them, that the King seconds his first Message with another of the fifteenth of *December*, wherein he tells them: "That he could not but extremely wonder, that after so many expressions on their part, of a deep and seeming sence of the miseries of this afflicted Kingdom, and of the dangers incident to his Person during the continuance of this unnatural War, their so many great, and so often repeated Protestations, that the raising of those Arms had been only for the necessary defence of Gods true Religion, His Majesties Honour, safety, and prosperity, the peace, comfort and security of his People, they should delay a safe conduct to the persons mentioned in his Majesties Message of the fifth of *December*, which were to be sent to them with propositions for a well-grounded peace; a thing so far from having been denied by His Majesty whensoever they desired the same, that he believed it had been seldom, if ever, practised among the most avowed and professed Enemies, much lesse from Subjects to their King. That however his Majesty was resolved, that no discouragements should make him fail in His part of doing His outmost endeavours to put an end to these Calamities, which if not in time prevented, would be the ruine of this unhappy Nation; That therefore he did once again desire them; that a safe conduct might forthwith be sent, for those persons expressed in his former Message, conjuring them, as they would answer it to Almighty God in that day when he should make inquisition for all that blood which had or might be spilt in this naturall War; as they tendered the preservation and establishment of true Religion; By all the bonds of Duty and Allegiance to their King; of compassion to their bleeding Country, or charity to themselves, to dispose their hearts to a true sence, and employ their Faculties to a more serious endeavour, together with his Majesty, to set a speedy end to these wasting divisions, & then he should not doubt but that God would again give the blessing of peace to these distracted Kingdoms. But this Message produced just nothing, which neglect of theirs, though it extremely troubled the King, yet it obstructed not at all His fore-taken resolution to use his outmost endeavours for peace; and therefore, to remove all inconveniences which might arise by misunderstandings, or distrusts, He on the 26th of *December* offers a personall Treaty by this Message.

C. R.

NOrwithstanding the strange and unexpected delays (which can be presided by no former times) to his Majesties two former Messages, His Majesty will lay aside all expostulations, as rather serving to lose time, than contribute any remedy to the evils which for the present afflict this distracted Kingdom: Therefore without further preamble, His Majesty thinks it most necessary to send these Propositions this way, which he intended to do by the persons mentioned in his former Messages, though he well knows the great disadvantage which Overtures of this kind have, by the want of being accompanied with well-instructed Messengers; His Majesty conceiving that the former Treaties have hitherto proved ineffectuals chiefly for want of power in those persons that treated; as likewise, because those from whom their power was derived (not possibly having the particular informations of every several debate) could not give so clear a judgement as was requisite in so important a business. If therefore His Majesty may have the engagement of the two Houses of Parliament at Westminster

ster, the Commissioners of the Parliament of Scotland, of the chief Commander in
 Sir Thomas Fairfax's Army, as also those in the Scots Army, for His Majesties free
 and safe coming to, and abode in London or Westminster, (with such of his Servants
 now attending him, and their followers, not exceeding in all the number of three
 hundred) for the space of forty dayes, and after the said time, for his free and safe re-
 pair to any of his Garisons of Oxford, Worcester, or Newark, (which His Majesty
 shall nominate at any time before his going from London or Westminster) His Ma-
 jesty propounds to have a personal Treaty with the two Houses of Parliament at West-
 minster, and the Commissioners of the Parliament of Scotland, upon all such matters
 as may conduce to the restoring of peace and happinesse to these miserable distracted
 Kingdoms, and to begin with the three Heads which were treated on at Uxbridge.
 And for the better clearing of His Majesties earnest and sincere Intentions of put-
 ting an end to these unnatural Distractions (knowing, that point of security may prove
 the greatest obstacle to this blessed Work) his Majesty therefore declares, that he is
 willing to commit the great trust of the Militia of this Kingdom, for such time, and
 with such powers, as are exprest in the Paper delivered by His Majesties Commis-
 sioners at Uxbridge the sixth of February last, to these persons following, viz. the Lord
 Priuy Seale, the Duke of Richmond, the Marquess of Hertford, the Marquess of
 Dorchester, the Earl of Dorset, Lord Chamberlain, the Earl of Northumberland, the
 Earl of Essex, Earl of Southampton, Earl of Pembroke, Earl of Salisbury, Earl of Man-
 chester, Earl of Warwick, Earl of Denbigh, Earl of Chichester, Lord Say, Lord Sey-
 mour, Lord Lucas, Lord Lexington, Mr. Denzill Hollis, Mr. Pierrepont, Mr. Hen-
 ry Bellasis, Mr. Richard Spencer, Sir Thomas Fairfax, Mr. John Ashburnham, Sir
 Fervase Clifton, Sir Henry Vane jun. Mr. Robert Wallop, Mr. Thomas Chicheley, Mr.
 Oliver Cromwel, and Master Philip Skippon, supposing that these are persons against
 whom there can be no just exception. But if this do not satisfie, then his Majesty to
 name the one half, and leave the other to the election of the two Houses of Parliament
 at Westminster, with the Powers and Limitations before mentioned. Thus his Ma-
 jesty calls God and the World to witnesse of his sincere Intentions and reall Endeav-
 ours for composing and settling of these miserable distractions, which he doubts not
 but by the blessing of God will soon be put to a happy conclusion, if this his Majesties
 Offer be accepted; Otherwise he leaues all the World to judge who are the continu-
 ers of this unnatural War. And therefore he once more conjures you by all the bonds
 of duty you owe to God and your King, to have for great a compassion of the bleeding
 and miserable estate of your Countrey, as to joyn your most serious and hearty endea-
 vours with his Majesty, to put a happy and speedy end to these present miseries.

Given at the Court at Oxford the 26. of December, 1645.

The nearer the King comes, and the more earnestly he desires it, the farther the Par-
 liament fly from peace; for though the King seconds this Letter with another, and adds
 a third, yet it was the 13 of January before he got any answer from the Parliament, (whose
 Trumpet met the Kings last Messenger) and then to this effect.

May it please your Majesty.

1645.

“**W** E the Lords and Commons assembled in Parliament humbly return this
 “Answer, That therein hath been no delay on our parts, &c. Concern-
 “ing the personal Treaty desired by your Majesty, there having been so much innocent
 “blood of your Subjects shed in this War by your Majesties Commands and Commis-
 “sions, Irish Rebels brought over into this Kingdom, and endeavours to bring over
 “more, both of them, as also of Forces from Foreign parts, your Majesty in Arms in
 “these parts, and the Prince in the head of an Army in the West, divertie Towns made
 “Garisons, and kept in hostility by your Majesty against the Parliament of England;
 “there being also Forces in Scotland against that Parliament and Kingdome by your
 “Majesties Commissions; the War in Ireland fomented and prolonged by your Maje-
 “sty, whereby the three Kingdoms are brought almost to utter ruine and destruction:
 “We conceive, that untill satisfaction and security be first given to both Kingdomes,
 “your Majesties coming hither cannot be convenient, nor by us assented to. Neither
 “can we apprehend it a means conducing to peace, that your Parliament should accept
 “of your Treaty for few dayes with any thoughts of leaving it, especially with intentions
 “of returning to hostility against it. And we do observe, that your Majesty desires
 “the engagement not only of the Parliaments, but of the Lord Mayor, Aldermen, Com-
 “mon Council, and Militia of the City of London, the chief Commanders of Sir Tho-
 “mas Fairfax's Army, and those of the Scots Army, which is against the Priviledges
 “and Honour of Parliament, those being joyned with them who are subject and labor-
 “dinate to their Authority. That which your Majesty against the freedom of Parlia-
 “ments inforceth in both your Letters with many earnest expressions, as if by no other
 “way than that propounded by your Majesty the peace of the Kingdoms could be esta-
 “blished, your Majesty may be pleased to remember, that in our last Letter we did de-
 “clare, that Propositions from both Kingdoms were speedily to be sent to your Majesty
 “which we conceive to be the only way for the attaining a happy and well-grounded
 “peace; and your Majesties Answer to those Propositions will be an effectual means, in
 “giving satisfaction and security to your Kingdoms, will assure a firm union betwixt the
 “two Kingdoms, as much desired each for other as for themselves, and settle Religion
 “and secure the peace of the Kingdom of Scotland; whereof neither is so much as men-
 “tioned in your Majesties Letter. And in proceeding according to these just and ne-
 “cessary grounds, for the putting an end to the bleeding calamities of these Nations,
 “your Majesty may have the glory to be principal Instrument in so happy a Work, and
 “we, however misinterpreted, shall approve our selves to God and the World to be real
 “and sincere in seeking a safe and well-grounded peace.

Thus whatever endeavours were used by the King, and however earnest means he
 used to forward a Reconciliation, were still slighted by the Parliament, who were to ob-
 stinate in their resolutions, that they would condescend to nothing, unless the King
 would absolutely sign their Propositions; and thereby deprive himself of all Power, Ho-
 nour, or Conscience. And to take off the Peoples murmurings, who now began to be
 affected with the Kings pious desires of peace, they publish some passages sent from their
 Commissioners, with some Letters and Papers taken out of the Bishop of *Tranes* pocket,
 who was slain at the Battel of *Sleigo*, discovering several passages (as they set them forth)
 between

between the King and the Rebels with whom the Bishop was to treat, granting them toleration or Religion, themselves to chool a Governour of their own, and to be intrusted with several Castles and Forts for their caution, upon condition to lend into England 10000 men for his assistance; and with these were likewise Printed the Lord Digbys Letters taken at Sherburne, and all this with the greatest advantage of Scandal and Obloquy upon the King that possibly could be invented, the better to amuze the People; concerning which, & in answer to theirs, the King by his Message of the 17. January, tells the: that his Majesty thought not fit to return an answer to those aspersions which were returned as arguments for his not admittance to *Westminster* for a personal treaty because it would enforce a stile not surable to his end, it being the peace of these miserable kingdoms; yet thus much he could not but say to those which sent him that answer, that if they had considered what they had done themselves in occasioning the shedding of so much innocent blood, by withdrawing themselves from their duty to him, in a time when he had granted so much to his Subjects and in violating the known Laws of the Land, to draw an exorbitant power to themselves over their Fellow Subjects (to say no more, to do as they had done) they could not have given such a false Character of his Majesties Actions; wherefore his Majestie must now remember them, that having some hours before his receiving their last Paper of the thirteenth of January, sent another Message to them of the fifteenth, wherein by divers particulars he had enlarged himself to shew the reality of his endeavours for Peace by his desired personal Treaty, which hee stil conceived to be the likeliest way to attain to that blessed end; he thought fit by this Message to call for an answer to that and indeed to all the former: For no rational man could think their last Paper to be an answer to his former demands, the scope of it being, that because there was a War, therefore there should be no Treaty for peace. And how was it possible, that those Propositions mentioned should be the ground of a lasting peace, when the persons that sent them would not endure to hear their own King speak. But whatever the success had been of his Majesties former Messages, or how small soever his hopes were of better, considering the high strain of those who dealt with his Majesty, yet hee would neither want fatherly bowels to his Subjects in general, nor forget that God had appointed him for their King with whom he treats; And therefore he demands a speedy Answer to his last and former Messages; but it was in vain for him thus to expostulate with them who were obstinately resolved not to give him any reasonable satisfaction, though indeed the houle of Lords were somewhat willing to correspond with the Kings desire, but over-ruled and curbed by the Commons they could do nothing, and whatever Messages the King sent were stil referred to the Committee of both Kingdoms, where they usually lodged, for the most part unanswered; yet notwithstanding their negligence, the King will not omit any pious endeavours to advance an accord, and therefore again stirs up by this Message of the 24. January.

C. R.

“ T He procuring of peace to these Kingdoms by Treaty, is so much desired by his Majesty, that no unjust aspersions whatsoever, or any other discouragements shall make him desist from doing his endeavours therein, until hee shall see it altogether impossible; And therefore have thought fitting so far only to make reply to that Paper or Answer which he hath received of the thirteenth of this instant January, as may

1645.

" may take away those Objections which are made against his Majesties coming to *West-*
 " *minster*, expecting still an answer to his Messages of the fifteenth & seventeenth, which
 " he hopes by this time have begotten better thoughts in the members of both Houses.
 " And first therefore, whereas in the said Paper it is objected as an impediment to His
 " Majesties personal Treaty, that much innocent blood hath been shed in this War by
 " his Majesties Commissions, &c. He will not now dispute it being apparent to all the
 " World by whom this blood hath been spilt, but rather presse that there should be no
 " more; and to that end only hath desired a personal Treaty, as judging it the most im-
 " mediat means to abolish so many horrid confusions in all his Kingdoms; And it is no
 " Argument to say, there shall be no such Treaty because there have been Wars, it being
 " a strong inducement to have such a treaty to put an end to the War. Secondly that there
 " shall be no such personal treaty because some of his *Irish* Subjects have repaired to his
 " Assistance, is it seems an Argument altogether as strange as the other, as alwaies urging
 " that there shall be no Physick because the party is sick; and in this particular it hath
 " been often observed unto them, that those whom they call *Irish*, who have so expres-
 " sed their Loyalty to their Sovereign, were indeed for the most part such *English* pro-
 " testants as had been formerly sent into *Ireland* by the two Houses, impossibilitated to
 " stay there any longer, by the neglect of those that sent them thither, who should there
 " have better provided for them. And for any Forreign Forces, it is too apparent that
 " their Armies have swarmed with them, when his Majesty had few or none of them.
 " And whereas, for a third impediment, it is alledged, that the Prince is in the head of
 " the Army in an *West*, & that there are diverse Garisons still kept in his Majesties obe-
 " dience, and that there are Forces in *Scotland*: It must be confessed as much, as that
 " there is yet no peace: And therefore it is desired, that by such a personal Treaty all
 " these impediments may be removed. And it is not here amisse to put them in mind
 " how long since his Majesty did presse a disbanding of all Forces on both sides; the re-
 " fusing whereof hath been the cause of this Objection. And whereas exception is ta-
 " ken, that there is a time limited in the proposition for his Majesties personal Treaty,
 " thereupon inferring, that he should again return to Hostility, His Majestie
 " protesteth, that He seeks this Treaty to avoid future Hostility and to procure a lasting
 " peace; and if it can meet with like inclinations to peace in those hee desires to treat
 " with, he will bring such affections and resolutions in himself as shall end these unhappy
 " bloody differences. As for those engagements which his Majesty hath desired for his
 " security, whosoever shall call to mind the particular occasions that enforced his Maje-
 " sty to leave his City of *London* and *Westminster*, will judge his demand very reasonable
 " and necessary for his safety. But he no way conceiveth how the Lord Mayor, Aldermen,
 " Common Council, and Militia of *London* were either subject or subordinate to that
 " Authority which is alledged, as knowing neither Law nor Practice for it: And if the
 " two Armies be, he believes it is more then can be paralleld by any former times in
 " this Kingdom. Nor can his Majesty understand how his Majesties seeking for a perso-
 " nal security can be any breach of Privilege, it being likely to be infringed by hinde-
 " ring his Majesty from coming freely to his two Houses. As for the Objection, That his
 " Majesty omitted to mention the settling of Religion, and securing the Peace of his
 " Native Kingdom, his Majesty declares, that he conceives it was included in his For-
 " mer, and hath been particularly mentioned in his latter message of the fifteenth pre-
 " sent

of Great Britain and Ireland.

175

1645.

sent. But for their better satisfaction he again expresseth, that it was, and ever shall be both his meaning and endeavour in this treaty desired; And it seems to him very clear, that there is no way for a final ending of such distractions as afflict these Kingdoms, but either by Treaty or Conquest, the latter of which his Majesty hopes none will have the impudency or impiety to wish for. And for the former, if his personall assistance in it, be not the most likely way, let any reasonable man Judge, when by that means not only all unnecessary delays will be removed, but even the greatest difficulties made easie: And therefore he doth now again earnestly insist upon that proposition, expecting to have a better answer upon mature deliberation. And can it bee imagined, that any Propositions will be so effectual, being formed before a Personall Treaty, as such as are framed and propounded upon full debates on both sides? wherefore his Majesty who is most concerned in the good of his people, and is most desirous to restore Peace and happinesse to his three Kingdoms, doth again instantly desire an Answer to his said former Messages, to which he hath hitherto received none.

Given at our Court at Oxford the 24 of January, 1645.

And that these his endeavours might have the better success, he publishes an Order, that prayers should be strictly observed in the respective Houses in Oxford, and every Fryday should be kept as a Solemn Fast, Himself, the Prince, and the two Princes Rupert and Maurice (who were now reconciled to the King after the difference at Newark) strictly observing it. But the Parliament at London had intercepted some other Papers of the Kings, together with the Transcript of a Commission to the Earl of Glamorgan to treat with the Irish Rebels, about which the Parliament made a great deal of buile, The Commission was thus:

C. R.

Charles by the Grace of God, &c. To Our Trusty, &c. Edward Earl of Glamorgan: We reposing great and especial trust and confidence in your approved Wisdom and Fidelity, do by these as firmly (as under Our Great Seal to all intents and purposes) authorize, and give you power to Treat and conclude with the Confederate Roman Catholicks in Our Kingdom of Ireland, if upon necessity any thing be condescended to, wherein Our Lieutenants cannot so well be seen, as not fitting for us for the present: publicly to own & Therefore We charge you to proceed according to this Our Warrant with all possible secrecy: & whatsoever you shall engage your self upon such valuable considerations as you & your judgement shall deem fit, We promise in the Word of a King and Christian to ratifie and perform the same of that which shall be granted by you, and under your hand and seal. The said Confederate Catholicks having by their supplies testified their Zeal to Our Service. And this shall be in particular to you a particular Warrant.

Given at Our Court at Oxon this twelfth of May, 20 Caroli.

This, though it was but a Paper Copy, and so not to be absolutely charged on the King, was made a mighty Bugbear by the Parliament, which made his Majesty think fitting to satisfy the people about Glamorgans Negotiation in Ireland (who it seems had acted so much contrary to Ormonds instructions, as Lord Lieutnant, that he was there committed by him and the Council there) which he did by this following declaratory Message of the 29th. of January.

C.R.

1645.

C. R.

HIS Majesty having received information from the Lord Lieutenant and Council in *Ireland*, that the Earl of *Glamorgan* hath without his or their directions or privy entred into a Treaty with some Commissioners on the Roman Catholick Party there, and also drawn up, and agreed unto certain Articles with the said Commissioners, highly derogatory to his Majesties Honour and Royal Dignity, and most prejudicial to the Protestant Religion and Church there in *Ireland*; whereupon the said Earl of *Glamorgan* is arrested upon suspicion of high Treason, and imprisoned by the said Lord Lieutenant and Council, and at the instance and by the impeachment of the Lord *Digby*, who (by reason of his place and former employment in these affairs) doth best know how contrary that proceeding of the said Earl hath been to his Majesties intentions and directions, and what great prejudice it might bring to his Affairs, if those proceedings of the Earl of *Glamorgan* should by any waies have been understood to have been done by the directions, liking, or approbation of his Majesty. His Majesty having in his former messages for a personal Treaty, offered to give contentment to his two Houses in the businesse of *Ireland*, hath now thought fitting, the better to shew his clear intention, and give satisfaction to his said Houses of Parliament and the rest of his Subjects in all his Kingdoms, to send this Declaration to his two Houses, concerning the whole truth of the businesse, which is: That the Earl of *Glamorgan*, having made offer unto him to raise Forces in the Kingdom of *Ireland*, and conduct them into *England*, for his Majesties Service, had a Commission to that purpose, and to that purpose only. That he had no Commission to treat of any thing else, without the privy and directions of the Lord Lieutenant, much lesse to capitulate any thing concerning Religion, or any propriety belonging either to Church or Laity. That it clearly appears by the Lord Lieutenants proceedings with the said Earl; That he had no notice at all of what the said Earl had treated, and pretended to have Capitulated with the *Irish*, untill by accident it came to his knowledge; And his Majesty doth protest, that untill such time as he held advertisement that the person of the said Earl *Glamorgan* was arrested and restrained, as is above said, he never heard, nor had any kind of notice, that the said Earl had entred into any kind of Treaty or Capitulation with those Irish Commissioners, much lesse that he had concluded or signed those Articles so destructive both to Church and State, and so repugnant to his Majesties publick Professions and known Resolutions. And for the further vindication of his Majesties Honour and Integrity therein, he doth declare, That he is so far from considering any thing contained in those Papers and Writings, framed by the said Earl and those Commissioners with whom he treated, as hee doth absolutely disavow him therein, and hath given commandement to the Lord Lieutenant and the Council there to proceed against the said Earl, as one who either out of fallensesse, presumption, or folly, hath so hazarded the blemishing of his Majesties Reputation with his good Subjects, and so impertinently flamed those Articles of his own head, without the consent, privy, or direction of his Majesty, or the Lord Lieutenant or any of his Majesties Council there. But true it is, that for the necessary preservation of his Majesties Protestant Subjects in *Ireland*, whose case was daily represented unto him to be so desperate, his Majesty had given Commission to the Lord Lieutenant to treat, and conclude such a Peace there as might be for the safety of that Crown, the preservation of the Protestant Religion, and no way derogatory to his own Honour and

Th
noble m

of Great Britain and Ireland.

177

1645.

and publick Profession. But to the end his Majesties real Intentions in this businesse of Ireland may be more clearly understood, and to give more ample satisfaction to both Houses of Parliament, and the Commissioners of the Parliament of Scotland, especially concerning his Majesties not being engaged in any peace or agreement there, he doth desire, if the two Houses shall admit of his Majesties repair to London for a Personall Treaty, (as was formerly proposed) that speedy notice be given thereof to his Majesty, and a Pass or safe conduct, with a blank sent for a Messenger to be immediately sent to Ireland, to prevent any accident that may happen to hinder his Majesties Resolution of leaving the manning of the businesse of Ireland wholly to the two Houses, and to make no peace there but with their consent; which in case it shall please God to bless his endeavours in the Treaty with successe, his Majesty doth hereby engage himself to do. And for a further explanation of his Majesties intentions in his former Messages, he doth now declare, that if his Personall repair to London, as aforesaid, shall be admitted, and a peace thereon shall ensue, he will then leave the nomination of the persons to be intrusted with the Militia wholly to the two Houses with such power and limitations as are expressed in the Paper delivered by his Majesties Commissioners at *Uxbridge* the sixth of February 1644. for the term of seven years, as hath been desired to be given immediately after the conclusion of the peace, the disbanding of all Forces on both sides, and the dismantling of the Garisons erected since these troubles, so as at the expiration of the * time before * *Seven years in Ux.* mentioned the power of the Militia shall intirely revert and remain as before. their further security his Majesty (the Peace succeeding) will be content that *pro hac* *bridge paper* *vice* the two Houses shall nominate the Admiral, Officers of State, and Judges to hold their Places during Life, or *Quam diu se bene Gesserint*, which shall be best liked, to be accountable to none but the King and the two Houses of Parliament. As for matter of Religion his Majesty doth further declare, That by the liberty offered in his Message of the fifteenth present, for the ease of tender Consciences, who will not communicate in the Service already established by Act of Parliament in this Kingdom, he intends that all other Protestants, behaving themselves peaceably in and towards the Civil Government, shall have the free Exercise of their Religion according to their own way. And for the total removing of all fears and jealousies his Majesty is willing to agree, that upon the Conclusion of the Peace there shall be a generall Act of Oblivion and free Pardon past by Act of Parliament in both Kingdoms respectively. And lest it should be imagined, that in the making these Propositions his Majesties Kingdom of Scotland, or his Subjects there have been forgotten or neglected, his Majesty declares, that what is here mentioned touching the Militia, and the naming of Officers of State, and Judges, shall likewise extend to his Kingdom of Scotland. And now his Majesty having so fully and clearly expressed his intentions and desires of making a happy and well-grounded Peace, shall decline the happinesse by opposing of so apparent a way of attaining it, he will sufficiently demonstrate to all the World his intention and design can be no other than the total Subversion and Change of the ancient and happy Government of this Kingdom under which the English Nation hath so long flourished.

Given at Our Court at Oxon this 29. Jan. 1645.

Thus earnestly did the King Court them for Peace, what is it now which any reasonable man can think they could object against? They demanded to have the carrying

1645.

on of the War in Ireland, 'tis fully and absolutely granted them; They demanded to have the Militia of the Kingdom in their own hands, 'tis likewise granted, and that for such a term of years as might secure them; but what reason had the King to give it Eternally, and thereby not only deprive himself of his Right, but likewise wrong his Successors? They had free and full liberty to exercise their Religion in what manner they pleased, why then should they restrain the King or other mens consciences, and force them to submit to a new Form of Church Government, whilst themselves would not submit to that under which the English Church had flourished ever since it was Protestant? they had likewise the nominating of all Officers of State left to them, so that nothing in effect was denied, yet to these Concessions they still find Demurs; some Letters, taken at the defeat of the *L. Ashley*, inform them something, which they are readier to take notice of than of his Majesties gracious Offers, and so earnestly pressed endeavours for Peace; notwithstanding which neglect of theirs, his Majesty still persists in his long hoped for desires for an accommodation, and therefore he yet sends another Message on the 26th of February thus: That his Majesty needed not to make any excuses, though he sent no more Messages unto them; That he very well knew he ought not to do it, if he either stood upon Punctilio's of honour, or his own private Interests; the one being already called in question by his often sending, and the other assuredly prejudged, if a Peace should be concluded from that he had already offered, he having therein departed from many his undoubted Rights. That nothing being equally dear unto him to the preservation of his people, his Majesty passed by many scruples, neglects, and delays, and once more desired them to give him a speedy Answer to his last Message; for his Majesty believed it did very well become him (after their very long delay) at last to utter his impatience, since the goods and blood of his Subjects cried so much for Peace. Yet when this would not do, he finally concluded with this last of 23 March 1645.

C. R.

Notwithstanding the unexpected silence, instead of answer to his Majesties many and gracious messages to both Houses, whereby it may appear that they desire to obtain their ends by force, rather than by treaty, which may justly discourage his Majesty from further overtures of that kind, yet his Majesty conceives he shall be much wanting in his duty to God and in what he oweth to the safety of his people; if he should not intend to prevent the great inconveniencies that may otherwise hinder a safe and well grounded Peace, His Majesty therefore now proposeth, that so he may have the faith of both Houses of Parliament for the preservation of his Honour, Person, and Estate, and that Liberty be given to all those who do and have adhered to his Majesty, to go to their own Houses, and there to live peaceably enjoying their Estates, all Sequestrations being taken off, without being compelled to take any Oath, nor enjoyed by the undoubted Laws of the Kingdom, or being put to any other molestation whatsoever, he will immediately disband all his Forces, and dismantle all his Garrisons, and being accompanied with his Royal, not his Martial attendants, return to his two Houses of Parliament; and there reside with them: And for the better security of all his Majesties Subjects, he proposeth that with his said two Houses immediately upon his coming to Westminster, passe an Act of Oblivion or free pardon, and where

of Great Britain and Ireland.

179

“ where his Majesty will further do whatsoever they will advise him, for the good and
“ peace of this Kingdome; and as for the Kingdom of *Scotland*, his Majesty hath made
“ no mention of it here, in regard of the great losse of time which must now be spent in
“ expecting an answer from thence; but declares that immediately upon his coming to
“ *Westminster*, he will apply himself to give them all satisfaction, touching that King-
“ dome. If his Majesty could possibly doubt the successe of this offer, he could use ma-
“ ny arguments to persuade them to it, but shall only insist upon that great one of giving
“ an instant peace to these afflicted Kingdomes.

1645.

Given at our Court at Oxford, March the 23. 1645.

But to these condescensions of the Kings, the Parliament still returned a negative an-
swer, not sent him, but expressed in an Ordinance of the 30th. *March. 1646.* That in
case the King should, contrary to the advice of Parliament already given to him, come
or attempt to come within the lines of communication, that then the Committee of the
Militia shall have power, and were thereby enjoined to raise such Forces as they should
think fit, to prevent any tumult that might arise by his coming, and to suppress any
that shall happen, and to apprehend and secure any such as should come with him; to pre-
vent resort unto him, and to secure his Person from danger, &c. That all persons that
have borne Arms against the Parliament, should depart the City before the sixth of *A-*
prile ensuing, otherwise to be declared against as Spies, and to be proceeded against ac-
cording to the rules of War, unless with licence of the Committee of *Goldsmiths-Hall*,
and of the *Militia of London*. The Sub-committees being required to keep strong
watches, and make frequent searches for such as should disobey herein, provided that
this Act should not extend to such as came in to the Parliament before the first of *June* last.
And that no Peer should have Licence, but from the House of Lords, and this order to
continue for a month after the sixth of *April*; Thus they who continually made it the
pretence of their raising Arms to bring the King home to his Parliament, would not now
either grant him admission, nor come to a pacification with him, though he now offered
as much as they at first desired; so that it clearly appeared by their proceedings, that
they intended nothing lesse then the real sence and meaning of that old maxime of theirs,
to bring the King with honour to his two Houses, but rather meant as the King himself
would often interpret it, that he should never come there unless brought as a prisoner.

CHAP. LXXIII.

*Westchester, Dartmouth, &c. Surrendered to the Parliament; Hopton defeated
at Torrington; Disbands upon Conditions.*

THE latter end of this year, had left the King but very few Forces, and as few Gar-
risons of strength, amongst which *Westchester* was none of the least considerable;
being the most convenient Port for *Ireland*, and commanding likewise a good large cir-
cuite of the Countrey, well manned, and fetching in contribution, under the Parlia-
ments Garrisons thereabouts: This made the Parliament resolve to besiege it, and to
that purpose drew considerable Forces into the County, and quartering thereabouts, at
first only endeavoured to prevent the Cavaliers ranging abroad, which yet they could
not do, before they came to a close Leaguer, which on the three and twentieth of *sep-*

The Civill Warres

tember they effected. Colonel Jones who commanded the Parliaments Horse, joyning with Louthians Foot at their Leaguer near *Becton*, made up a Body of about one thousand three hundred in all; and advancing the next morning about four a clock, began to storm the outworks of the East Suburbs at the end of *Forrest-streets*; in four several places, and being undisturbed, easily entered, though they there found a stout and gallant resistance, for though they carried the Suburbs on that side the Town, took possession of the Majors Houle, and in it the Ensignia of his and the Sheriffs, yet what with the loss they sustained at present, and what afterwards by the continued sallies of the besieged, they had little reason to brag of their purchase; yet they had still such additions of fresh Forces sent them by the Parliament, so that in the end they likewise blocked up the West side of the City, so that it was now somewhat distressed which made the King (knowing the considerableness of it) anxious for its relief, who therefore gives order for the drawing out several Forces under the Command of Sir *William Vaughan* out of the Garrisons of *Hereford*, *Ludlow*, *Worcester*, and *Bridgenorth*, who with seventeen hundred Horse, and seven hundred Foot, advanced to its relief, Rendezvousing at *Denbigh*; but the Enemy drawing out a party of one thousand four hundred Horse, and one thousand Foot, encountered him, and utterly routed him: worse successe had the Lord *Ashton* who advancing with a Regiment of Horse towards the relief of this City, was met with an equal number near *Strutbridge*, himself wounded and taken prisoner, though the loss on the other side made them over heartily brag of the Victory. In the mean, still expecting relief, the Lord *Byron* resolutely defended the City, still pestering the Enemy with sallies, till at length tired out, they came to a Treaty on the twenty eighth of *November*; but the demands being too high on either side, nothing was concluded, for though *Byrons* necessities were great, yet the information hee had of the Kings earnest endeavours to relieve him, made him resolve to endure the utmost extremities, till at last the Horse-flesh being spent, and hunger beginning to bite the almost starved Townsmen, they began first to murmur, and then to mutinie; yet *Byron* appeases them for the present, with promises of surrendring, if no releif came within a week, and so kept them off for sometime from week to week, still expecting in vain, for the Kings Condition was so low, that he could not send them any succours; or had he been in a better capacity, the attempt would have now proved very difficult, so had the Parliament blocked up all passages to it in the Counties about, which made Sir *William Brereton* knowing in part their necessities, but being unwilling to take that City by storm, which he had hopes to govern hereafter, to summon them to a Surrender: to which he received no other answer, but that if within twelve days they were not assured of relief, by a Gentleman and a Citizen, which they should send out with a Trumpet, and for whom they desired a pass, they should then be contented to enter into a Treaty for the surrendry of the City upon honourable Conditions: But *Brereton* denyed to grant a passe to their Messengers, requiring a positive answer, which was delayed for the present, out of hopes of the return of a Messenger whom they had privately lent out; but hee being intercepted by *Brereton*, and sent up to the Parliament, whereupon a Treaty commenced, and ten dayes spent in several debates, the besieged purposely delaying time out of hopes of relief, they having advertizement that Sir *Jacob Astley* (a year before made Lord *Astley of Reading*) had united with Colonel *Vaughan*; and now about *Bridgenorth*, with intention to have joyned with the *Welsh* Forces under the Lord *St. Paul*

and

and some others from Ireland lately landed at *Beaumaris*: but not only this Conjunction was hindred by Colonel *Milton*, who was sent from the Leaguer with three Regiments of Horse, and a considerable force of Foot and Dragoons, but likewise *Ruthven* Castle taken, and not long after the town of *Conway*, (to the Siege of which *Williams* Archbishop of *York*, some say in Armour) came and served in person under the Parliaments Colours, a thing very unbecoming one of his Coat and Calling) surrendered unto him. so that now even their hopes of Relief dying, Commissioners were sent out, and a Treaty concluded on the first of February upon honourable terms, viz. That the Lord Byron, and all Noblemen, Commanders, and Officers and Souldiers should depart the Town in all their apparel whatsoever, The Lord Byron with Horse and Arms, and ten men alike accomplished to attend him: His Lady and servants with Coaches, in each four Horses, with such other Ladies and Gentlewomen as he thinks fit, and with his Books, Evidences and writings in his possession, and all of them with not above forty pound in money, and twenty pound in Plate, the rest of the Noblemen with their Ladies answerable to their honour, with not above thirty pound in money, and so every one in their degrees to the Common Souldiers, who were to march away with twenty shillings each: Nor were the Conditions for the Citizens lesse reasonable, which were the easier condescended to by Sir *William Brereton*, though he knew their distresse, because of the desire he had not to force the City, the chief of his County, and of which he hoped (as I said before) to be Governour. Whilest *Chester* is thus in the North-west taken by the Parliament, *Fairfaxes* success is famous in the West, where having first scared the Cavaliers from their Siege at *Plimouth*, he thence advances to *Dartmouth*, a Sea-port Town, well fortified, and kept by Sir *William Pollard* for the King, yet immediately after his coming before it, takes the Town by storm & few days after had the Castle surrendered unto him by the Governour: In the whole Garrisons were taken one hundred and three pieces of Ordinance, and eight hundred Prisoners; the Governour the Earl of *Newport*, Colonel *Seamour*, and others of note. This Service made the Parliament Vote their General into possession of the two thousand five hundred pounds *per annum*, formerly ordered him; which the better to deserve of them, he hastens from thence to *Pontrane* Fort (lately surrendered) nigh *Exeter*, & summons Sir *John Barkley* Governour of this City to a surrendry, offering large Conditions both to himself, the Citizens, Officers and Souldiers, but Sir *John* Returnes Answer:

“ That his trust was delivered to him from his Majesty, which he would discharge to his power. That they had no reason to distrust a blessing from God in delivering that Garrison, who was able to deliver them, and might be so pleased without a miracle, the Prince having so considerable a Force at so near a distance to them; that if all actions of their lives were as innocent as their hands of the blood that had and should be spilt in their righteous cause, they should in all events rest in perfect peace of mind, and not despair, &c.

To this *Fairfax* replies, endeavouring by arguments to persuade them to surrender, but finding it vain, he presently makes two Bridges over the *Ex*, and surrounds the City on all sides, which done, he leaves with Sir *Hardresse Waller* sufficient Forces to maintain the Siege, whilst himself with the rest of his Army moves to find out the Princes Army

1645.

Army, which he had left under the command of the Lord *Hopton*, whilst himself was gone into *Cornwel* to raise the Train-Bands of that County. At *Torrington* *Fairfax* finds the Lord *Hopton*, his Forces drawn up in several Clokes, where they first skirmished with courage on both sides, till both retired; at length the Forlorn-Hopes of both Armies engaged, that of the Parliaments with its Reserve being first beaten back to the main body of the Army, which advancing, the Fight began about eight a clock at night nigh the Town, to which the Cavaliers retreated, and there maintained the Charge so resolutely, that had not *Fairfaxes* Souldiers been heartned with fresh supplies they had given it utterly over; but the other overpowered by their fresh numbers, gave back, whereby the Enemy gained the Town, which being entred into, the Magazine in the great Church was fired by a train, and destroyed *Fairfax* more men then he had lost in the Battel, for there was no lesse then eighty barrels of Powder; upon the firing of the Magazine Sir *John Digby* taking advantage of the Enemies Amazement gave a resolute charge, in which he did some execution, and so fell off and marched with the rest away into *Cornwall*, whither *Fairfax* following them, forces them again in disorder to quite *Lemistone*; whereupon the Prince marching away toward *Pendennis* Castle accompanied with the Lord *Capel*, the Lord *Culpepper*, and Sir *Edward Hyde* takes Shipping on the first of *March*, and arrives safely at *Scilly*; the Lord *Hopton* soon after finding it in vain to make resistance with his broken Army, being summoned by *Fairfax* to disband, consents to it upon very honourable Conditions; but having seen experiments how ill Articles had been observed, and being likewise sensible of the ill effects of the Propositions of Peace; he chose rather then to go to *Oxford* (whither by Articles hee might have been convoyed by fifty of his own, and fifty of the Parliaments Horse) to transport himself to *France*.

CHAP. LXXIV.

This Years Successes of Montrose in Scotland.

Montrose after his Victory over the *Campbells* in the *Highlands*, having some few dayes refreshed his men, marches Westward to *Loughness*, in his way viewing *Harwick*, *Arnes* and *Marne*, and so passing the River *Spey*, comes toward *Elgin* the chief Town of *Murray*, where a party of the Enemy were gathered together, but upon the very rumour of his Approach dispersed themselves. so he had that Town surrendered unto him, whither the Lord *Gordon*, eldest Son to the Marquesse of *Huntley*, before detained by his Uncle *Argyll* against his will, now comes and submits himself (with a smal but choice company of his Friends and Followers) to *Montrose* as the Kings Vicegerent, by whom he is received with all possible respect, and after upon proof of his valour, Wildom, and Fidelity, received into his intire friendship; from hence the Marquesse marching off to *Banff* and *Aberdeen*, having compleated his Army to two thousand Foot and two hundred Horse, passing the River *Dee*, encamps at *Fettercarn*, near which place at *Brechen* lay Sir *John Hurry*, General of the Horse to the Covenanters, with some Forces, who immediately draws out six hundred Horse to take a view of *Montroses* Army, who to draw him on, makes show but of his two hundred Horse, whom according to his usuall manner he had lined with stout and nimble Musquetiers: *Hurry* provoked by so small a number, begins the charge, but spying the Foot, wheels about and Retreats, himself with

with much courage bringing up the Rear, which was pursued by *Montrose* men almost as far as *Dundee*, (four and twenty miles) for so far they fled without stop. Being returned to *Fettercarn*, *Montrose* advances to *Brechen* and so by *Grainsbaine* over the River *Tay* intending for the *Forth*: This design was known to the Enemy, and therefore *Hurry* having joyned with *Bailly*, an experienced Souldier fetched from *England* to Command the Covenanters, make on wards to stop him. The Marquess notwithstanding the greatness of their power bids them batle, but the others declined it; whereupon he marches to Castle *Incegarity* and *Eliot*, and pitches his Camp on one side the River *Isle*, whilest *Bayly* lies on the other; so that neither could passe the River without giving advantage. *Montrose* therefore sends a Trumpet to *Bayly* proffering either to passe the River and fight him, or to give him liberty to passe, so he would engage to come to a Batle; but *Bayly* would not be taught when to Fight. Thus they lay facing one another for some dayes without any hostile attempts, when *Montrose* marches off to *Dunkell*, hoping to passe the *Tay*, where he was almost ruined by the unexpected revolt of *Lewis Gordon* (a younger Son of *Huntley*'s, who had been on the Covenanters side at the batle of *Aberdeen*, and had lately by mediation of his Brother the Lord *Gordon* been received into favour) who inticed either by true or counterfeit Letters from old *Huntley* his Father, tempted almost all the *Gordons* without the knowledge of his Brother, and with them basely deserted *Montrose* and his Brother, when they were now ready to be engaged by the Enemy, the Marquess therefore divers his intended journey over *Tay*, and sending his weakest and worst armed men along the bottome of the Hills to *Brechen*, himself with the one hundred & fifty Horse left, & six hundred nimble Musquetiers marches after about twelve a clock at night, and with an unimaginable haste arrives at *Dundee* at ten a clock next morning, being the fourth of *April*: This Town Hee summons, but they in stead of returning answer, commit the Trumpet to prison, whereupon He storms them in three places, beat them out of their Sconces, possessed their Ordinance and turned them against the Town, whilest others beat open the Gates and possess themselves of the Church and Market-place, setting the Town on fire in several places, and had burned it wholly, had not some of the Souldiers been addicted to plunder, which whilest they were busie about it, comes *Montrose*'s Scouts, and brings him word that *Bayly* and *Hurrey* with at least three thousand Foot & eight hundred Horse were scarce a mile off, whereupon he makes haste to call his men out of the Town, but before he could get into a Body, the Enemy was come within Musquet shot; insomuch that many perswaded *Montrose* to shift for himself with what Horse he had, judging it impossible that ever he should bring off his Foot; but *Montrose* would neither desperately hazard (as some would have had him) nor yet desert his good old Souldiers; he therefore sends before four hundred Foot, commanding them to make all possible speed they could without breaking their Ranks. Then appoints he two hundred of the ablest to follow them, himself with his Horse bringing up the Rear, for he believed that the enemies Foot would very hardly overtake them, and counted it not so much danger, if with their Horse alone they should charge him, which he hardly believed they would adventure to do, besides the drawing on of the night might facilitate his Retreat, and so it did; for though their Horse skirmished with his Rear, yet with the help of his Musquetiers lining his Cavalry, he easily repulsed them, or at least stoutly resisted them, till by the favour of the night they were parted, when about the

dead

The Civill Warres

dead of the night being still pursued, and the Passes of the Mountains over *Grainsbaine*, by which the Enemy guessed the Marquesse would go, possessed by Horse-Guards, he not being far from *Arber-broth*, and warily considering that the Enemy had (as indeed they had) possessed those Straits, makes a stand for a while, and then commands his men to march South-west, by which means he beguiled his pursuers, who in the night passed by him, and he the next morning turning Northward by South-east, not far from *Careston* Castle; and so to *Brechin*, where he found that those men whom he had sent before, hearing of his distresse had retired into the Mountains, whom he follows, being pursued by the Enemy as far as *Glenesk*.

This was the famous and so much talked of Expedition of *Dundee*, in which he passed through such hardship and labours, as if all reported would certainly seem incredible: having here sometime refreshed over-wearied Souldiers, he sends the Lord *Gordon*, and those of his friends, who still continued faithfull, to work upon his Brother, and the other fugitives, and to gather new Recruits, whilest himself with five hundred Foot, & fifty Horse, marches through *Angus*, into *Perthshire* to distract the Enemy, till his Army was reinforced; for *Hurrey* was gone with six hundred Foot, and two hundred Horse to endeavour a suppression of the Lord *Gordon*, and *Bayly* remained at *Perth* in the heart of the Countrey to attend all motions, *Montrose* quartering at *Creife*, a small Village within twelve miles of *Perth*, very securely. *Bayly* with his whole Army sets out at twelve a clock at night, hoping to surprize him; but the vigilant Marquesse was ready in a posture either to march or fight, and with his Horse was advanced to discover the number and strength of the Enemy, whom finding too strong for him, for they were two thousand Foot and five hundred Horse, he commands his men to march speedily away and possesse the Foords of the River *Erne*, whilest he with those few Horse he had made good the Rear, lest his Foot should have been troden down by the Enemies Cavalry; whom he valiantly repulsed, till his Foot after six miles march had made themselves Masters of the Passes over *Erne*: so the Enemy having lost their labour, retreated; and the Marquesse quartered that night at *Lougherne*, and thence removed to *Balweer*, where he was met by the Earl of *Albome*, another son of *Hunley's*, with others who had escaped out of *Carlisle* the 18 of *April*. Thence he removed to *Lagh-Cairnes*, where having intelligence that *Hurrey* had raised great Forces, and was upon engaging with the young Lord *Gordon*, he makes speed to oppose him; and passing by *Balwider* through *Athol* and *Angus*, and over *Grainsbaine*, by long marches joyns with *Gordon* (who had now one thousand Foot, and two hundred Horse) in the midst of *Marre*, and with him goes to seek out the Enemy, who when he was within six miles of him, thought him not yet passed the *Grainsbaine*; so swiftly had he over-run even the report of himself: *Hurrey* not willing yet to fight till he had addition of Auxiliaries, retreats in haste over the *spy* towards *Inverness*, the appointed Rendezvouz for his Recruits, whom he meets according to promise, being the Earl of *Seaforth* and *Sunderland*, with many others; so that now he was three thousand five hundred Foot, and four hundred Horse, to *Montroses* fifteen hundred Foot and two hundred Horse, when *Montrose* was quartered at *Alderne*, and would now have retreated, but that *Bayly* being advanced over the *Grainsbaine*, he was likely by that means to have been encompassed by both Armies; and therefore he resolves to fight *Hurrey*, who pressed hard upon him, and run the hazard of the battel, he therefore takes choise of the best advantage he could get of the ground, giving the command

command of his right Wing to *Mac-donald*, with four hundred Foot lodged in places fortified to their hands with banks, shrubs and ditches, and to him he commits the charge of the Kings Standard, commanding him to keep himself entire as a Reserve against the Enemies power of Horse and Foot; and drawing the rest of his men to the other side, himself takes charge of the Foot, and commends the Horse to the Lord *Gordon*. The Enemy came on, as *Montrose* had wisely imagined, with their best Body of Horse and Foot against the Kings Standard, and began first to dispute with some few which he had placed against the Town, and on the right Flank; still as their Souldiers were spent drew on fresh, which makes him resolve to fall upon them with his left flank all at once; when one came and whispered unto him that *Mac-donald* on the right wing was put to flight, whereupon not to discourage his Souldiers, he calls aloud to the Lord *Gordon*, *My Lords, what do we do? Mac-donald upon the right hand having routed and discomfited the Enemy is upon execution; shall we stand by as idle spectators while he carries away the honour of the day?* withall commanding them to charge home upon *Hurrey's* Horse, who not able to endure the shock, immediately fled and left their flanks open, yet the Foot stood to it bravely, though in the end over-pressed (by valour, not by numbers) they threw down their Arms and fled; *Montrose* in the mean time not forgetting *Mac-donald*, had drawn off some of the rearest of his men to his assistance, who had unadvisedly endangered the losse of all, by drawing out of his fastnesse, where being overpowered by the Enemies Horse and Foot he had utterly been ruined, had not his valour in bringing off his men made amends for his former rashnesse, he himself bringing up the Rear, and covering his head with a Target he alwayes used to carry in fight against the pushes of the Pikemen who pressed sorely upon him, till *Montrose* coming to his aid, the Enemies Horse seeing those of their Party in the other part of the field fled, immediately spurred away, but their Foot being most of them old Souldiers out of *Ireland*, fought desperately, and were most of them slain on the place. Nor had *Hurrey* himself and many more escaped, had not the Earl of *Albanie* having taken sundry of the Enemies Colours, displaying them in a bravado, and made *Montrose* think that some new Recruits were come to the Enemy, whereby the opportunity of a timely pursuit was lost. There were slain on the Covenanters party of Quality, Colonel *Campbell Laver*, and Sir *John* and Sir *Gideon Murray*, besides many taken prisoners: *Montrose* his losse was very inconsiderable, nor one person of quality missing, but very many of his Souldiers wounded. Among those who this day behaved themselves gallantly, was the young Lord *Napier*, who sometime before had without the knowledge of his Father or Wife retired himself from *Edinburgh*, and come to *Montrose*, yet notwithstanding his friends ignorance of his departure, the rigid Covenanters took his Father the Lord *Napier* of *Marbiston*, a man almost threecore and ten years of age, and his Wife the daughter of the Earl of *Marre*, Sir *Geo. Sterling Kerr* his Brother in Law, with his Lady, & *Napiers* other Sister a Virgin, and cast them into the Dungeon at *Edinburgh*, where they lay till they were afterwards delivered by *Napier* himself, with the assistance of his Uncle *Montrose*.

This battel was fought at *Alderne* the fourth of May, from hence *Montrose* marched to *Elgins*, and passing over the *Spy*, comes at length to *Strabogy*, where he meets with *Bayly*; but not being yet fitted to fight against fresh men, he passes in the night to *Balvoine*, and so along to *Badgeroch*, the Enemy still pursuing and skirmishing with his

1645.

Real, till they turned off to *Inverness*; the Earl of *Lindsey* the prime Ring-leader of the Covenanters next *Argyle*, had now taken upon him the Command of their Armies, and was passed over into *Angus*, intending to be a Reserve unto *Bayly*, or at least to hinder *Montroses* passing over the *Forth*, and carrying the War neicher *Edinburgh*; him *Montrose* resolves first to quell, and to that purpose marches through the *Plaines* of *Marre* over *Grainsbaine*, and so comes by long journeys to the Coast of the River *Airley*, hoping to surprize his Enemy, when being now come to Castle *Newmill*, within seven miles of his Enemy, then the Northern men deserted him, and run all home again, inveigled by *Huntly*, out of envy to *Montroses* his glorious Successes; this dysafter spoild his designe against *Lindsey*, and made him take new resolutions to Colonel *Nathaniel Gordon*, whom he had sent before into the North, when by this time *Bayly* and *Hurree* had returned from *Inverness*, and were quartered in lower *Marre* by the side of *Dec*, *Montrose* passes into *Cromarre*, and in his way sends *Mac-donald* with a party into the furthest High-lands to conduct such Forces as were there raised to the Army, and the Lord *Gordon* to *Nathaniel Gordon*, for those men by him listed. In the mean time *Lindsey* joyns with *Bayly* in lower *Marre*, for whom together *Montrose* judging himself too weak, gets to *Kingsarfe* Castle at the Foot of the Mountains, whence the Earl of *Aboine* (who had been brought again to the Army by his Brother the Lord *Gordon*) falling sick, departed to *Strabog*, drawing with him a considerable number of Horse, whom his Brother the Lord *Gordon* had much ado to bring back to their Colours. Whilest both Parties thus lay still, *Lindsey* exchanges with *Bayly* one thousand raw new raised Souldiers for one thousand old ones, as if he meant to do some great exploit, but all he did, was ranging up and down *Atbol*, spoiling and burning the Countrey; *Bayly* with his Army layes Siege to *Bogi* Castle, a fair House of the *Huntleys*: this *Montrose* resolves to relieve, and so marches towards him, when his Scouts bring him word that *Bayly's* Foot stood on the top of a Hill two miles off him, and that his Horse had possessed themselves of a narrow Pass almost in the mid way, which Pass *Montrose* attempts in vain, and therefore the next day sends a Trumpet to *Bayly* to offer battel, who answers, that he would not receive orders to fight from an Enemy: and the Marquess perceiving that he could not without apparent losse regain that Pass from the Enemy, to draw him off thence, he marches to *Pilourge*, and so to *Drummore*, a Castle of the Lord *Forbeses*, where he staves, till having understood that the Enemy had quitted the Passes, and was gone towards *Strabog*, he advances after him to *Alford*; when *Bayly* understanding that *Mac-donald* with a great part of *Montroses* Army was absent in the High-lands, voluntarily pursues him to *Alford*-hill, which *Montrose* having possessed, stands his Enemy, the place being somewhat advantageous by reason of a Moorish ground behind him, which would prevent the falling in of Horse in his Rear; hicher *Bayly* having pursued him; but it seems more necessitated to it by the rashnesse of Colonel *Dalcarise*, a Colonel of Horse, who had so far engaged his Regiment, that it could not be brought off without a Battel, then by any inclination of his own, who was a wary and experienced Souldier; but now being come on, fight he must; for *Montrose* was ready, having given the command of his right Wing, on which side the enemies Horse were most strong to the Lord *Gordon*; that of the left Wing to the Earl of *Albonie*, and Sir *William Rollock*; the main Battel commanded by *Glegary* and *Drummond* of *Ball* the younger, and *George Grahame* Master of the Camp, and a Reserve under the command of young *Napier* lay

hid

hid behind the Hill. Thus they stood for a while facing the Enemy, who was drawn up below, and thought it not safe to charge up the Hill, Montrose therefore draws down to them, & the Lord Gordon gallantly gives the first charge, which was as bravely received by the Enemy, so that both parties came to handy strokes, till Colonel Nathaniel Gordon called to the Fire-locks, who now as usually lined the Horse, *Come on my fellow Soldiers, sayes he, throw down now your uselesse Guns, draw your swords and sheath them in the Rebels Horse, and ham-string them*, which they instantly did; and Montrose at the same time drawing down the Lord Napier's Reserve, so discouraged the Enemy, that they immediately fled; *Albanie* with the left Wing did not attempt the Enemy but by light skirmishes in small parties; but they when they saw their own men on the left Wing routed, and put to flight, made their Retreat with little losse, their Foot being deterred by their Horse, after they had a while stood it out desperately were most of them cut off. The Lord Gordon eagerly pursuing the thickest of his flying enemies received a shot through the body, of which he immediately fell down dead; but besides the los of this most noble Lord, the losse on Montroses side was very little, two Gentlemen; *Culcholl* and *Milton*, and some common Souldiers slain.

This Battel was won on the second of July, and from hence Montrose immediately marches through *Angus*, (having first sent away the Earl of *Abonie*, who succeeded his deceased Brother, into *Buchanshire* for to raise fresh supplies, who soon returned, but with no great store of men) where he met with his Cousin *Patrick Grahame* with his *Athol*-men, and *Mac donald* with good store of *High-landers*; there came likewise in to him *Maclean* with the chief of his sept and friends, to the number of seven hundred; the *Mac-Renolds* with seven hundred more, the *Mac-Gregories* and *Mac-Nabies* with their friends, and *Glengary* with five hundred more came likewise to him out of *Marre*, and one hundred able men from *Badqenoch*, so reinforced with this Army, he resolves to march into the heart of the Countrey, and visit the Parliament at *St. Johnstons*, and to that end encamps at *Methven* Forest near the Town, extreemly frightening the Parliament, who thought he durst not have adventured so far; and to put them into greater fear, he amazes them from the Walls with a great show of Horse, but for the most part composed of Pack-saddle and Draught-jades, not having many above two hundred good Horse: The Enemy therefore drawing together all the force they could make, and the Auxiliaries from the *Fife*, being come, provoked him to battel: but he not being in a readinesse, staying for Supplies from the North, drew off, some light skirmishes only happening, in which Montroses *High-landers* had the better of the Enemies Horse: At length comes *Abonie*, who had been sent again with Colonel *Nathaniel Gordon*, and brought two hundred Horse, and six score Firelocks, whom they had mounted for Dragons: amongst these was the old Earl of *Airly*, and his Son *Sir David* with fourscore Horse of the *Ogilbies*, with these Recruits Montroses advances, and at length encamps in *Kilsyth*-field near *Sterling*, the Enemy following him three miles off, under the command of *Baile*, with whom Montrose must now either fight upon disadvantage, or stay, expecting his ruine till *Lanerick Duke Hammitons* brother, *Cassils*, *Eglinton*, and *Glencarne*, who were raising men in great numbers had joyned with him: but if he had not resolved of himself to fight, the Enemy would have forced him to it; for they relied extreemly in the multitude of their men. and judged that Montrose had but made a flying march the day before, and crossed the North more out of necessity then design; they therefore

1645.

therefore on the fiftenth of *August* having drawn up their men in Battalia, march directly towards *Montrose* (who was ready to receive them) and first assault some Cortages and Gardens in which *Montrose* had conveniently lodged some men, whom they endeavour to bear off; but were themelves worsted and driven back by the *High-landers*, who animated with this successe, ran rashly up the Hill, not expecting a Command, whereby they laid themselves open to the Enemies Force, whose slownesse yet gave the Marquesse opportunity to relieve in some part his engaged men, who near a thousand were so far encompassed, that there was little probability of their coming off, the Enemy having sent out three Troops of Horse, and two thousand fresh Foot against them, whereupon the Marquesse bespeaks the old Lord *Airly*, *You see my Noble Lord how yonder men of ours by their unadvisednes have brought themselves into a most desperate hazard, and will presently be trampled to dirt by the Enemies Horse, except we relieve them with all speed. Now all mens eyes and hearts are fixt upon your Lordship, they think you only worthy so great an honour, and to repell the Enemy, and bring off our Fellow-Souldiers: besides, it seems most proper for you, that the Error which hath been committed by the foolhardinesse of youth, may be corrected by your Lordships grave and discreet valour; and readily and willingly undertook he this service, guarded by a Troop of Horse, fell upon the Enemy, who disputed sharply for a while, but not able to endure the courage of the *Ogilbies*, facing about fell foul of their own Foot, and being charged through & through, were utterly routed. This successe put so much alacrity into *Montroses* Souldiers, that giving a fierce charge, they forced the Enemies Horse to fly and desert their Foot, who thus left open, stood not long, but throwing down their Arms, sought to save their lives by flight, but herein were deceived, the Conquerours pursuing the Chace for fourteen miles, so that not above one hundred came off; all their Ordinance, Arms, Bag and Baggage was left as a prey to the Victors, *Sir William Murray* of *Blebe*, *James Arnold* Brother to the Lord *Burghly*, Colonel *Due*, and Colonel *Wallace*, with many more of quality were taken prisoners. On *Montroses* side were lost many of the valiant *Ogilbies*, and many common Souldiers; but the Enemy lost all their Foot, no lesse then six thousand being judged to be slain upon the place and in the pursuit, the swiftest of their horse got to *Sterling*, others to *Firth*: And now the third time the right valiant Marquess of *Argyle* got into a Cock-boat, and escaped on Shipboard.*

This Victory made a strange alteration in the Scene of affairs in *Scotland*, those who before were forced to comply with the Covenanters, now absolutely and openly avowed their Allegiance to the King, and those who really had taken their parts, now begun seemingly, if not seriously to repent of what they had done; for indeed they could now do no other wise, *Montrose* having now full Command in *Scotland*, the North parts secure behind him, and his way clearly opened to the South, nor indeed any visible opposition appearing, the Earl of *Lanark* having upon the news of this Victory disbanded his Forces and fled, and *Cassils* and *Eglinton* in the South-west parts done the like upon the approach of *Mac-donald*, whom *Montrose* had sent against him. The Marquess after this great Victory marched into *Cliddisdale*, and so to *Glasgow*, the chief City of that Countrey, where for terror to others he caused legally to be executed several principal incendiaries; and from thence he removes to *Bothwell*, there receiving the addresses of several of the Nobility in Person, and others by their Deputies, who now came and willingly submitted themselves to the Marquess as the Kings Vicegerent in *Scotland*; the chief

chief of which were the Marquesse of *Dowglas*, the Earls of *Lanark*, *Anandale*, and *Hartfield*, the Lords of *Seaton*, *Drummond*, *Fleming*, *Marcyby*, *Carnegy*, and *Johnston*, *Hamilton* of *Orbistone*, *Charie* of *Hemsfield*, *Towers* of *Innerlough*, *Stuart* of *Resis*, *Dalyell* brother to the Earl of *Carnwath*, Knights and many more. From hence (considering the sad condition of those who only for their loyalty had been imprisoned by the Covenanters) he sends the Lord *Napier*, and Colonel *Nathaniel Gordon* to *Edinburgh* to summon that City, and to settle it in peace, and release such prisoners. These coming with a party of Horse within four miles of the City (for no farther would they go, because of the Plague then raging; and likewise lest entering into it, they should not be able to restrain the fury of the Souldiers,) received Delegates from the City to *Montrose*, who were two of the chief of the Prisoners, to wit, *Lodovick* Earle of *Crawford* of the Family of the *Lindsays*, and imprisoned by the malice of the Earle of *Lindsey*, who was to succeed to his honours, and *James* Lord *Ogilby* eldest Son to the Earle of *Airly*, who was taken going from *Carlisle* to *Oxford*, these they had desired to be their Intercessors with the Marquesse, who therefore accompanied with *Napiers* Father, his Wife, two Sisters and Brother in Law *Keer*, whom hee had released in his way at *Lanark*, whether they had been removed from *Edinburgh* Castle, went to *Montrose* to whom they presented the City of *Edinburghs* humble submission, beseech *Montrose* to accept the surrender of the City, promising Faith and Loyalty to the King ever after; That though the infection of the Plague then reigning there, had waiked their men, yet they were ready to pay contribution according to their ability, heartily acknowledging their Treasonable actions against their gracious Kings, by the cunning connivance of a prevailing party which had engaged them in Rebellion: *Montrose* willingly accepted their submission, and all the Prisoners were ready released, but how well they kept their promises of Allegiance and Loyalty to the King, all the world may judge. the next that submitted were the Earls of *Hume*, *Roxburgh* and *Traquair*, in the South parts persons more obliged then any to the King, having by his grace & favour been raised from private Gentlemen to those degrees of Honour, and now only feignedly submitted, whilst underhand they solicited the Scots Army in *England*. to send a great party of Horse to suppress *Montrose*, more noble it had been in them, however more bold, had they done as the Earl of *Lanark* did, who being by some friends desired likewise to make his submission, made answer, That he would have nothing to do with that side, never pretending Friendship where he intended not to perform: but these whilst they pretended the greatest freindship possibly they could to *Montrose*, & the Kings Service, endeavoured only the betraying of him and it, though the King had repesed so much confidence in them that in those Letters which he sent to congratulate *Montroses* successes he stil sent him word, That it was his Majesties pleasure hee should joyn unto himself the Earles of *Roxburgh* and *Traquair*, and to confide in their advice and endeavours, of whose fidelity there was no question to be made; That he should hasten to the *Tweed*, where he should meet a party of Horse instantly, sent from the King out of *England*. with which hee might safely give barrel to *David Lesly* if he should march that way with the Covenanters Horse, as was suspected he would. These messages of the Kings begat such credulity in the Marquesse, of the fidelity of those Earles, that *Mac-Donald* having by leave left him with nigh 3. hundred High-landers having had first the Honor of Knighthood conferred upon him by the Marquesse, and *Alboin* being gone away whether

The Civill Warres

ther he would or no with all the Northern Forces, he principally relied upon those Earls, for the just recruiting of his Army, in which they pretended much, but effected just nothing at all, for though *Traquair* in the Marquesses march through *Lowthianshire*, came himself to *Strathgate* to visit him, and the next day sent him his Son the Lord *Linton*, with a gallant Party of Horse, as though they should be under his Command, yet it was but a trick by so great a pledge to make him more secure, and so the more easily betray him; as for the Earls of *Hume* and *Roxborough*, though they were then within 12. miles of him, yet they neither sent to him, nor sent him any supply, which made him resolve to have Marched towards them, and have either persuaded, or reduced them to reason by force, but they were too quick for him, and therefore had sent to *David Lesly*, who now with six thousand Horse was come to *Berwick*, to make haste with a party and surprize them, as Persons disaffected to the Covenanters, which was done the day before *Montrose* should have been with them: *Lesly* for the Covenanters being thus passed *Tweed*, marched on the East-side of *Lowthian*, and *Montrose* perceiving himself betrayed, and seeing no hopes of that party of Horse promised by the King, fearing least his Enemies being so much too powerful for him, should block up his passage into the High-lands, resolved to March with those few men he had into *Niddisdale* and *Anandale* and the Country of *Aire*, endeavouring to raise what horse he could, the Enemies strength consisting in their Cavalry. From *Kelso* in the County of *Aire* comes to *Jedburgh* and *Selkirk*, where he quartered his few men to the best advantage that he could, and gave Orders to the Captains of his Horse, that Faithfull and careful Scouters should be appointed in all Quarters, himself being all Night busied in dispatches to the King; but his Scouters proved either treacherous or careless, permitting the Enemy to come within four miles of him, before he could have notice, for *Lesly* the same day that *Montrose* departed from *Jedburgh*, mustering his men upon *Gladesmore*, a Plain in *Lowthianshire*, there held a Council of War with the chief of the Covenanters, the result of which was, that he should march to *Edinburgh*, and so to the *Forth*, that he might hinder *Montroses* retreat into the North, and force him to fight before he should joyn with the Highlanders: but *Lesly*, contrary to that Resolution, on a sudden gives Order to his whole Forces to wheel about to the left, and march away apace: every one wondering at the meaning of that sudden change of intention, till the effect proved that he had received certain notice that *Montrose* attended only by a very small Party, might easily be surprized on the borders of *Tweed*. He therefore comes and lodges within four miles of *Selkirk*, where *Montrose* quartered, whilst *Traquair* commands the Lord *Linton* his son to withdraw his party of Horse from the Marquess, which he very joyfully did, and the next Morning the advantage of the Mist brought *Lesly* within half a mile of the small Royal Army, without being discovered by their Scouts, and came on so fast, that they gave *Montrose* no time to draw his disordered Army into a Body, they being secure, and little dreaming of *Leslys* so nigh approach; so that not above sixscore Horse maintained the Wing, and thrice valiantly withstood the Charges; but the third time overpowered and broken were utterly routed: the Foot standing to it sometime after, were likewise routed, and endeavoured by flight to save their lives: Those who upon quarter surrendered, were by *Leslys* special Command murdered (notwithstanding their quarter) together with the Pedesers and Women, not respecting Sex or Age found in the Camp, but two hundred and fifty Foot escaped to *Montrose*, who with one hundred Horse brought him by the Marquess of *Dunglas*, and

Sir

Sir
Fo
Fo
mie
it a
lian
solut

T
Low
under
Horse
lonel.
near
Prison
and in
the mo
ed, not
foreign
soon al
Hopton
(which
fore not
ed the
following
ten days
John Be
in the he
es lighte
Henriett
this City
posed of
to her mo
Michaels
so than Fa
up to a cle
streightne
King begi
cherous in
to the Mar

of Great Britain and Ireland.

1913

Sir John Dalyet broke through the Enemy, and getting together what of his scattered Forces he could, marched Northward; where we shal find him again raising of more Forces to do his Majestie service: Nor did the Kings two Standards fall into the Enemies hands, the one being rescued by an *Irish-man*, who ripping it off the Staff brought it away safely, and had ever after the honour of carrying it: and the other saved by *William Hay*, Brother to the Earle of Kinowles; so that this Victory of Leslys was not so absolute, as the treacherous Earl of Traquair vaunted it to be.

C H A P L X X I V.

Lord Astley defeated, Exeter, and other Garrisons surrendered, the King flies to the Scots, his whole Power in England subdued.

1646.

THis year past had (from the best condition the King was in from the beginning of the Parliaments first leavying war against him) reduced the King into the Lowest Condition that possible could bee; He had now only one Body in the Field under the Command of the Lord *Astley*, who intending to joyn with a Party of Horse near *Faringdon*, were so cloely pursued by Sir *William Brereton* and Colonel. *Morgan* Governour of *Glocester*, that on the 21. of March he was forced to fight near *Stow* upon the *Wold* in *Glocester* shire, his whole Army routed, and himself taken Prisoner, so that he told them that took him, *Their work was done they might go to play*, and indeed so it was, the Kings whole power being reduced now to some few Garrisons, the most considerable of which, viz. *Exeter*, *Newark*, *Dennington Castle* & *Oxford*, all besieged, not likely to hold out long, nor any further relief to be expected from *Ireland*, or any foreign parts: So *Dennington Castle* comes first under the Parliaments power, *Exeter* soon after, to the siege of which, after his having cleared the West, and forced the Lord *Hopton* to disband, *Fairfax* was returned, & calling a Council of War, Summonsthe Town (which during his absence had endured a strict siege) to a surrender, the Governour therefore now seeing no hopes of relief, returns answer on the 3. of April, that he had received the Summons, and that it was at his Council of War determined, that on the *Fryday* following Commissioners on both sides should meet to treat, which they did, and after ten dayes tedious debate, the City was surrendered upon most honourable conditions, *Se. John Berkley* the Governour to march out with the Souldiers, both *Cornish* and others, in the height of Honour, with Drums beating, Colours flying, Bullet in mouth, Matches lighted, &c. The first into their Countrey, and the others to *Oxford*; the Princess *Henrietta* youngest Daughter to the King, (who ever since her Birth had continued in this City under the care of the Lady *Dalkeith*) was sent up to *London*, there to be disposed of by the Parliament, till soon after she was by her Governesse conveyed privately to her mother in *France*. To the fortune of *Exeter*, *Barnstable Town* and Fort, *St. Michaels Mount*, *Dunston Castle*, *Woodstock* and other Garrisons, soon after submitted; so that *Fairfax* his victorious Army having cleared the West, was now resolved to march up to a close Beleaguering of *Oxford*, (which had sometime before been extremely streightened by the continued Allarms of *Fleetwood* and *Rainsborough*) which made the King begin to think of some way for his safety; and at last, incited it seems by some treacherous invitation of the Scots (as appears by some passages in his Letter of the 3. of April to the Marquesse of *Ormond*, wherein he writes him, *That having lately received very good* [contin.]

The Civill Warres

security that both his Majesty, and all that do or should adhere to him, should be safe in their Persons, Honours and Consciences in the Scottish Army, and that they would really joyn with his Majesty, and with such as should come in unto him, and joyn with them for his Majesties preservation, and should employ their Armies and Forces to assist his Majesty, to the procuring of a happy and well-grounded Peace: for the good of him and his Kingdoms in the recovery of his just Rights, he had resolved to put himself of passing into the Scots Army, lying at the siege of Newark) and so on the 27th. of April, the King disguised departed out of Oxford, accompanied only with Mr. Hudson a Minister; and Mr. John Ashburnham, and few or none else acquainted with his design; so that though many knew that he was gone, yet various were the opinions whither: some laid to Wales, others to Montrose in Scotland, but the most general opinion was, that he was come up and lay in London concealed; to discover which, the Parliament passed an Order, That whatsoever Person should harbour or conceal, or know of the harbouring or concealing of the Kings Person, and should not immediately reveal it to the Speakers of both Houses, shall be proceeded against as a Traytor to the Commonwealth, forfeit his whole Estate, and die without mercy: But contray to all mens expectations, he is at length heard of at the Scots Camp before Newark, who were amazed how he durst trust his Person with them, but the Parliament having notice of it, immediately ordered that the Commissioners and the General of the Scottish Army, should be desired that his Majesties Person might be disposed of as the two Houses should desire and direct, and that he be thence disposed of and sent to Warwick Castle, and that John Ashburnham and the rest that came with the King into the Scots Quarters, should be sent for as Delinquents by the Sergeant at Arms, and that the Commissioners of the Parliament residing before Newark, shall make a Narrative of the Kings coming thither, and present it to the House; But these Votes were scarce past, when comes a Letter from the General and Commissioners of the Scottish Army, to the Committee of both Kingdoms, to be communicated to the Parliament, acquainting them, " That the earnest desire they had to keep a right understanding betwene the two Kingdoms moves to acquaint them with that strange providence where-
 " with they were surprized, together with their carriage and desires thereupon; That
 " the King came yesterday into their Army in so private a way, that after they had made
 " some search for him upon the formizes of some persons who pretended to know his face,
 " yet they could not find him in sundry houses; That they believed their Lordships
 " would think it was matter of much astonishment to them, seeing they did not expect
 " him to come into any place under their power; They conceived it not fit to enquire
 " into the Cause; but to endeavour that his being here might be improved for procu-
 " ring the work of Uniformity, for settling Religion and attaining of peace according to
 " the League and Covenant, and Treaty, by the advice of the Parliaments of both
 " Kingdoms and their Commissioners authorized for that effect; That trusting to their
 " integrity they were perswaded that none would so far misconster them, as that they in-
 " tended to make use of this seeming advantage, for promoting any other ends than were
 " expresse in the Covenant, and had hitherto been pursued by them with no lesse Con-
 " science then care; That for further satisfaction they did ingenuously declare, That
 " there had been no Treaty nor Capitulation betwixt his Majesty and them, nor any in
 " their names; but that they left the wayes and means of peace to the Parliaments of
 " both Kingdoms, And so far as concerned them as they had a witness in Heaven, they
 " were

of Great Britain and Ireland,

193

1646.

“ were confident to make it appear, That there was nothing more in their desires then
 “ in all their resolutions and proceedings to adhere to the Covenant and Treaty; That
 “ their gravest thoughts should be taken up in studying, and their utmost abilities im-
 “ ployed in acting those things which most advanced the publick good and common hap-
 “ piness of both Kingdoms, wherein by the help of God they should labour to ule to
 “ much tenderness and care, that they hope it shall soon appear, their actions were the
 “ result of honest and single intentions; That they could not in a matter of so deep con-
 “ sequence and common interest but seek their Lordships advice; for which effect they
 “ had also written to the Committee of Affairs in Scotland with intentions to move
 “ joynt contents and resolutions, that after a seed-time of afflictions, we might reap the
 “ sweet fruits of Truth and Peace. This was the Account given by the Lord Leven
 the General, and the Commissioners in the Army to the Committee of both King-
 doms at Westminster. In the mean time Newark, which had been for a long time va-
 liantly defended by the Lord Bellasis both against the Scots and English Forces, and had
 made many fortunate sallies upon the Besiegers, was upon the fourth of May, the day
 before the King came unto the Scots Camp, began to treat, and on the ninth was agreed
 to be surrendered upon condition that the Garrison, with all the Ordinance, Armes and
 Ammunition should be delivered up to the Commissioners for the Parliament of Eng-
 land; That the Lord Bellasis Governor, with all Officers, Gentlemen, and Clergy, to
 march away with their Horses and Swords unto any Garrison of the Kings not besieged,
 or to their own Houses; the Souldiersto have Graves in their Hands, and their own
 Goods, and all of them to have three Moneths time to make their Peace with
 the Parliament; Or that failing, to be allowed Passes to go beyond Sea. A-
 bout this time also was Banbury Castle also surrendered; and not long after Ca-
 narvon Town and Castle delivered up upon Articles by the Lord Byron, and
 the Scots having conveyed the King from Southwell to Newcastle, there to Trade
 for him, His Majesty on the tenth of June, published an Order to Sir Tho-
 mas Glenham, Sir Thomas Tisley, Collonell Washington, and Collonell Blague,
 Governours of Oxford, Worcester, Lichfield, and Wallingsford, and to all other
 Commanders of any Towns, Castles, or Forts within the Kingdome of Eng-
 land, and Dominion of Wales, wherein having given them an account of his Resolutions
 to comply with the Designs of his Parliament in every thing that might be for the good
 of his Subjects, and leave no means unattempted for the removing of Differences betwixt
 them; he had therefore thought, the more to evidence the reality of his Intentions for
 settling of a happy Peace, to require them upon honourable Conditions to quite the
 Towns and Forts intrusted to them by his Majestie, and to disband all the Forces under
 their severall Commands: But before this Order of the Kings, the Governour and Lords
 at Oxford had come to a Treaty, to begin at Hedding on the seventeenth of May, between
 Sir John Mounson, Sr. John Heyden, Sr. Thomas Gardner Sir George Binion Sir Rich-
 ard Willis, Sir Stephen Hawkens, Col. Gosvol, Collonell Tillier, Doctor Zouch, Thomas
 Christy, John Dutton Jeffrey Palmer and Robert Mead Esquires, for the besieged; and
 Lieutenent General Hammond, Commissary Generall Ireton, Collonell Lam-
 bert, Collonell Rich, Scout-master General Watson, Major Desborough, Ma-
 jor Harrison, Mr. Herbert, and M. Waller, for the Parliament. And after a tedious treaty,
 continued to the 25th of June, without any Cessation of Arms, when it was delivered
 upon Conditions sufficiently honourable, had they been as honourably performed; Th:

The Civill Warres

whole number of the Garison was suppoled to amount to seven thousand Souldiers and Schollars in pay, who all marched out; but many of the Nobility and Gentry had leave to rarry for Passes; the chief of whom were the Duke of York, the Princes *Rupert & Maurice*, the Earles of *Dorset, Hartford, & Southampton*, the Lords *Cottington, Lane, Dunmowre*, Secretary *Nicholas*, and others. The Duke of York was conveyed to London, and at St. James committed with the rest of the Royal Children to the tuition and care of the Earl of Northumberland and his Lady. The two Princes, *Rupert* and *Maurice* had Passes granted them to go beyond Sea, but before their departure, by the Parliaments leave, had a Visite thrust upon them by their Brother the Prince *Electo*r, all this time siding with the Parliament: which they received with scorn. Two dayes after the surrendry all the Seals of Estate were sent up from the General to the two Houses at *Westminster*, to wit, the Great Seal of England, carried by the Lord Keeper *Littleton* to the King in the year 1642. the Privy Seal Signet, Kings Bench, Exchequer, Court of Wards, Admiralty, and Navy Seals, together with the Sword; the Seals were immediatly voted to be broken in peeces; which was accordingly performed by a Smith in the House of Lords, the Commons standing by, and the broken Silver given in reward to the two Speakers, but the Sword was laid up safe in the Wardrobe. All other Garisons were soon after surrendred according to the Kings Order, *Ragland Castle* being the last held out in *England or Wales*, which the old Marquesse of *Worcester* a man of four score and four years of Age, had the honour to deliver up upon good Conditions, when the King had neither Field Army, nor Garison besides it in *England*. Thus in the compass of one year, or little more, was the Kings Forces wholly reduced, and himself a Prisoner, or little better, in the Scottish Army, who though according to his Majesties Letter to *Ormond* had promised security both to him and those of his Friends that should come into him, yet denyed it both in Word, as appears by their Letter to the Committee of both Kingdoms, and in Act, as will appear by their delivering him up to the English Parliament and Army.

CHAP. LXXV.

*Treaty with the Scots for delivery of the Kings Person to the Parliament,
They sell Him for 200000. l.*

THE Scots having got the King into their hands, their General *Lesly* (immediatly after their drawing off from *Newark* after its surrendry) notwithstanding the Vote of the Parliament for sending the King to *Warwick Castle*, conveying his Majesty from thence to *Newcastle* in such haste, that on the 8th of May by his Majesties Message to the two Houses for a speedy peace and accommadation, we find him at *Southwell*, and on the 10th. of the same month, by two messages to the Houses and the City of London, at *Newcastle*, thither had *Lesly* with such speed conveyed him, a place more remote from London, and lesse distant from *Scotland*, and so more convenient for him both to raise the price of so rich a Commodity, and likewise to bring the King to his Lure, by forcing him to underwrite those Orders to the Governours of his Garisons still holding out, for their surrendry, to *Ormond* not to proceed in treating with the *Irish* Rebels, but especially to *Montrose* to disband in *Scotland*, things which the King himself inclined to

as knowing them to ly in the way to that happy peace which he had so long wished, and still hoped for; The King being then here, these Propositions (formerly promised to be sent unto him to Oxford, but delayed by reason of some Differences between the Commissioners for Scotland, and the Parliament, which the first would have had the same with those debated at *Hxbridge*, whilst the other pressed some necessary amendments) were on the 11th of *July* concluded on, and by the Earl of *Pembroke* and *Montgomery*, the Earl of *Suffolk*, Mr. *Goodwin*, Sir *John Hipsly*, Mr. *Robinson*, Sir *Walter Earl*, sent to the King with them; but they were so high both in relation to his Rights and Privileges, in matters of Religion, and likewise in relation to the sad condition wherein he should involve his friends by granting them; and the Commissioners likewise having no power to treat, but only to desire a positive answer in ten dayes, his Majesty on the 1. of *August*, sent this message to the Parliament about them.

C. R.

THe Propositions tendred to his Majesty by the Commissioners, &c. (to which the Houses of Parliament having taken twice so many months for deliberation, as they have assigned dayes for his Majesties Answer) do import so great alterations of Government both in Church and State, as it is very difficult to return a particular and positive answer, before a full debate, wherein those Propositions, and the necessary explanations, true sense and reasons thereof be rightly weighed and understood, and that his Majesty upon the full view of the whole Propositions, may know what is left, as well as what is taken away or changed. In all which he finds (upon discourse with the said Commissioners) that they are so bound up from any Capacity, either to give reasons for the Demands they bring, or to give ear to such desires as his Majesty is to propound as it is impossible for him to give such a present Judgement of, and answer to these Propositions, whereby he can answer to God, that a safe and well grounded Peace will ensue (which is evident to all the World can never bee, Unlesse the just Power of the Crown, as well as the Freedom and Propriety of the Subject; with the just Liberty and Priviledges of the Parliament, bee likewise settled) to which end His Majestie desires and Proposes to come to *London*, or any of His Houses thereabout upon the Publicke Faith, and Security of the two Houses of Parliament, and the Scots Commissioners, that he shall be there with freedom, honour & safety, whereby by his personal presence he may not only raise a mutual confidence between him and his people, but also have those doubts cleared, and these difficulties explained unto him, which he now conceives to be destructive to his just legal power, if he should give a full consent to those Propositions as they now stand. As likewise, that he may make known to them such his reasonable Demands, as he is most assured will be very much conducing to that peace, which all good men desire and pray for, by the settling of Religion, the just priviledges of Parliament, with the freedom and propriety of the Subject. And his Majesty assures them, that as he can never condescend unto what is absolutely destructive unto that just power, which by the Laws of God and the Land he is born unto, so he will chearfully grant and give his assent unto all such Bills, at the desire of his two Houses, or reasonable Demands for *Scotland*, which shall be really for the good and peace of his people, not having regard to his own particular (much lesse any bodies else) in respect to the happinesse of these Kingdoms. Wherefore his Majesty

The Civill Warres

conjures them as Christians, as Subjects, and as men who desire to leave a good name behind them, that they will so receive and make use of this Answer, that all issues of blood may be stopped, and these unhappy distractions peaceably settled. And for Postscript he subjoyns, That upon assurance of a happy agreement, his Majesty would immediately send for the Prince his Son, absolutely expecting his perfect Obedience to return into this Kingdom. Yet notwithstanding this full and compleat Answer, both the Commissioners for the Parliament of England, and the Scots General Assembly, by a large Petition and Remonstrance, urge the King to the signing of those Propositions absolutely. What the substance of the Assembly Remonstrance was, we may in some part see by the Kings answer, wherein he tells them, That upon the perusal of the Petition, he required to see the Commission by which the Messenger that brought, or the Person who sent him were qualified, to intermeddle in affairs so foreign to their Jurisdiction, and of so great concernment to this Kingdom. That upon examination of it, (and in defence of the Laws and Government of England) he must profess that the Scots Petitioners, or the General Assembly of the Church of Scotland, have not the least power or authority to intermeddle in the affairs of this Kingdom or Church, which are settled and established by the proper Laws of this Land, and till they be altered by the same competent power, could not be revived again, without a due licence of him and this Nation; much less could they present any advice to the Parliament here, or send any Letters as they had done to any Minister of the Church, who could not by the Laws of the Land correspond against the same. That as for uniformity in Church Government, he conceived the Answer formerly given to their former Petition in this Argument was sufficient, to wit, That the Government here established by Laws had so near a relation and intermixture with the Civill State, (which might be unknown to the Petitioners) that till a composed digested form could be presented upon a free debate of both Houses, in a Parliamentary way, whereby the consent of the whole Kingdom might be had, and his Majesty and all his Subjects discern what was to be left in, or brought in, as well as what to be taken away, he knew not how to consent to any alteration, otherwise then to such an Act for the ease of tender consciences, in the matter of Ceremonies, as he had often offered. That he should not now speak of many Bills offered to him for Reformation, they being a part of those Articles upon which he had offered and expected to treat. But he could not but wonder by what authority they prejudiced his Judgement, by denouncing Gods anger upon him, and his hazard of the losse of the hearts of his Subjects, if he consented not, &c. But notwithstanding these and other Reasons which his Majesty gave, the Scots still urge him to sign the Propositions: To induce him to which, the Chancellor urging force against reason, in a speech tells him, "That the consequence of his Majesties Answer to the Propositions was as great as the ruine or preservation of his Crown or Kingdoms; That by the Differences between him and the Parliament they had as yet so many bloody Battels got the strong Holds and Forts of the Kingdom into their hands; That they had his Majesties Revenue, Excise, Assessments, Sequestrations, and Power to raise all the Men and Money in the Kingdom; That they had gained victory over all, had a strong Army to maintain it, so that they might do what they would with Church or State; That some were so afraid, and others so unwilling to submit to his Government, That they desired neither him nor any of his Race longer to Reign over them: But that the People were so wearied with War, and so loath to have Monarchical Government destroyed, that they

of Great Britain and Ireland.

197

1646.

“ they durst not attempt to cast it off totally, till they sent Propositions of Peace to His Majesty, lest the People (without whom they were not able to carry on the Warre) should fall off from them; That therefore they were resolved to offer them to his Majesty, as that without which the Kingdom and his people could not be in safety; That if he refused to assent, he would lose all his Friends in Parliament, lose the City and Countrey; That all England would joyn against him as one man to proccesse and depose him, and let up another Government; That they would charge them to deliver up his Majesty, to render their Garrisons, & to remove their Armies out of England; That so both Kingdoms for eithers safety, might agree to settle Religion and Peace without him, to the ruine of his Majesty and his Posterity; That if he left England, he would not be admitted to come and Reign in Scotland; That he confessed the Propositions were higher in some things then they approved of, but they saw no other means for him to close with his Parliament. Yet these down-right threats prevailed nothing with his Majesty, who chose rather to hazard the losse of his Kingdoms, than that of his Honour, Soul and Conscience, all which he must forfeit by signing these Propositions as they were, break his Coronation Oath, and as to the ruine of his Posterity, do himself the same which they threatned; for by signing those Propositions he must necessarily deprive them of their Rights as Kings of England, which was all the others could do; and therefore he thought it a great deal more honourable to adventure the violent doing it by them, than to do it himself, and with it forfeit his own Honour and Conscience, as I said before. There therefore remained nothing of difference, than what further miseries they might throw upon his Person, which he was resolved willingly and patiently to undergo. During these passages the great debate was in hand about the disposing the Kings Person, the Parliament of England asserting, That the Kingdom of Scotland had no right of Joynt exercise of Interest in disposing the person of the King in the Kingdom of England; and the Scots maintaining their Right in disposing of his Majesty jointly with them, as might be best done for the security and safety of both Kingdoms; till which be assured to them, they were resolved not to part from the King; the Earl of London in several speeches before the House of Commons, protesting strongly against the delivery of the Kings person into their power, alleging what an eternal infamy would lye upon them and the whole Nation if they should do it: but it was supposed, that those Delays proceeded only out of a desire they had to raise the price of the Commodity as high as they could, for in the Assembly of Scotland it was expressly voted, That the King should not come thither; and therefore there was no other way left for them, but to sell him to the English Parliament, which (when by their long expostulations they had raised the Market as high as they could) and at the length did, for two hundred thousand pound in ready money. (& two hundred thousand pound more to be secured to them upon the publick faith of the Kingdom of England) which was to be paid unto them upon these terms: That the two hundred thousand pounds should be told at York & one hundred thousand pounds paid at North-Alerton within five daies after it was told; That at the comming of the money to Topcliffe, the Scots should give Hostages, that they should quire all their Quarters, Possessions and Garrisons to the South side of Tyne, and of Newcastle and Tinnmouth, with all the Arms &c. within ten dayes; upon which performance the Hostages to be redelivered. That upon the delivery of the Garrisons on the South-side of Tyne and Newcastle, Tinnmouth &c. The Kingdom of Scotland should have.

have Hostages upō redelivery of theirs, for assurance that the other one hundred thousand pound should be paid on the North-side of *Newcastle*, within a mile of the Works, within eight dayes after the quitting of *Newcastle*, *Tinmouth*, &c. and all the Forces to be drawn on the North side of *Tine*. That upon the payment of the hundred thousand pounds on the North side of *Newcastle*, the English Hostages should be re-delivered; That upon the comming of the money out of *Newcastle*, Hostages should be delivered to the English. That their Army do march out of the Kingdom, *Barnwick*, *Carlisle*, & the Garisons lighted within ten dayes after payment; and then the Hostages to be restored back. The King hearing of these passages, and knowing himself so highly concerned; Again by his Message to the Houses desires a Personall Treaty, but they were so busied to get him into their hands, that they had not leasure to return him an Answer, for the money for payment of the Scots having been railed out of the sales of Church-lands, & got ready by the 8th of *December*, sent down and paid the Scots, now ready to depart, the Parliament were very busie about debating how to dispose of the King, who though hee was not mentioned to be delivered by the Articles for payment of the two hundred thousand pounds, yet was the chief thing aimed at; but before the Scots would part with him they appointed a choice committee of their own, consulting of *Lobbian* and others, who once more pressed his Majestie to take the Covenant, and sign the Propositions; but in vain: They therefore resolved to take their leaves of him. And the Parliament, into whole power he was now to come, voted, That he should be removed from *Newcastle* to *Holmeby* House, with respect to the safety and preservation of his Majesty, according to the Covenant and that after his comming thither, he should be attended by such as they should appoint, and that when the Scots were removed out of *England*, the Parliament would joyn with their Brethren of *Scotland* to perswade the King to passe the Propositions, which if he refused to do, the house would do nothing that might break the Union of the two Kingdoms, but endeavour to preserve the same. yet before the King was delivered up to the Parliament Commissioners, he put some Quarries to the Scots Commissioners at *Newcastle*. It is (said his Majesty) a received opinion, that Engagements, Acts, or promises of a restrained Person, are neither valid nor obligatory, How true or false this is I will not dispute, but I am sure, if I am not free, I am not fit to answer you or any Propositions, wherefore you should first resolve me in what state I stand (as in relation to freedom) before I can give you any further Answer the reason of this my Answer the Governour can best resolve you, but if you object the losse of Time, and the urgency of it, certainly in one respect it presses none so much as my self, which makes me also think necessary that I be not to seek what to do when this Garison shall be surrendered up, to demand of you, in case I go into *Scotland*, if I should be there with honour, freedom and safety? Or how? being ready to give you a farther and more particular Answer so soon as you have resolved these Quarries. to this the Scots returned answer, that to the first, in what state his Majesty stood in relation to Freedom, The Parliaments of both Kingdoms had given such Orders and Directions as they thought fit for the good and safety of his Majesty to the General & Governour. To the second, as to his going into *Scotland*, they humbly desired they might not now be put to give any answer: but if his Majesty should either deny or delay his assent to the Propositions, they were in that case to represent to his Majesty the resolutions of the Parliament of *England*. To which his Majesty replied, That he very well knew that the General & Governour had received orders concerning

cerning him, but the question is, into what state those Orders put him, as relating to freedom, to which they have either power to answer him or not? If they had that they should answer him, if not, send him those that could: & so for his other Querries: But he received no positive assurance how he should be disposed of till the Scots Lords coming to take their leaves of him, he told them, That he had often desired to go into Scotland, that hee came into their Army for protection, and had it, but now hee perceiving they were not willing thereunto, and they being to deliver up the Garrisons hee desired to know how they would dispose of him? Desiring them for their answer to withdraw, and consider to whom they would deliver him; which they did, and returning, told him, That since your Majesty had refused to take the Covenant, and sign the propositions, they were to deliver him to the Commissioners of the Parliament of England, for the two Houses at Westminster being sure of their Bargain, had sent the Earls of *Pembroke* and *Denbigh*, the Lord *Montague*, Sir *James Harington*, Sir *John Hollyland*, Sir *Walter Earl*, Sir *John Cook*, Mr. *Crew*, and Major General *Brown* Commissioners to Newcastle, to receive the person of the King, these arrived there on Saturday the 22th. of January, and were appointed to speak with his Majesty on the Monday after, when the Earl of *Pembroke*, the first in Commission, but the worst Speaker, told his Majesty, that his Children were well at St. James; the rest acquainted him, that they were commanded by the two Houses to wait upon him to *Holdenby* when he pleased: to which he replied, hee would return them an answer when he had put a few questions to the Scots; which having done, as aforesaid, the English Commissioners came for an Answer, Whom Hee told Hee should not get ready for some dayes; and tells *Pembroke*, That Hee had believed Him in many things, but if his Journey pleased Him, His Expectation would be much frustrate: *Pembroke* replied, that if Hee had had the least doubt, some other should have come of the Errand, and if this his good Service deceived the King, Hee was like to deceive Him so no more: The King answering, That the Scots were much beholding to him for travelling so oft of their errands for the peace of both Kingdoms, desired that he might have two of his own Chaplains, who had not taken the Covenant to attend him for his private use, but the Commissioners refused, excusing, that it was not in their Instructions, nor could they write for leave to the Parliament, but that his Majestie might do it by an expresse of his own. On Saturday the last of January the Scots Army marched out of Newcastle, which at three a clock that afternoon was possessed by a Garrison of English, and the King turned over to the Parliament Commissioners, who with nine hundred Horse conveyed his Majesty from thence to *Durham*, and so towards *Holmby*, having made Proclamation that none who had deserted the Parliament should come near his Majesties person, yet one *Mongo Murray*, an old Scottish Servant of his, conveyed a Letter into his Majesties hand, which being discovered, he was imprisoned at *Nottingham*; the King was met by General *Fairfax*, with several Officers of his Army, who alighting kist his Majesties hand, and then remounting rode some miles talking with him. On the 16th. of February he arrived at *Holmby*, where the Parliament had appointed to attend him as his Servants in ordinary, Sir *Thomas Herbert*, Mr. *Maxwell*, Mr. *Astly*, Mr. *Harrington*. Mr. *Patrick Marvel*, Sir *Faulk Grevil*, Mr. *Middleton* Serjeant at Armes, and Dr. *Wilson* Physician, besides two Chaplains, Mr. *Marshall*, and Mr. *Caryll*, who would often trouble his Majesty with their impertinent disputes, which came so far short of Master *Hendersons*,

The Civill Warres

dersons, (who had the honour to be converted by his Majesties discourse at New-castle, and died reconciled to the Church of England) that his Majestie pittied the lameness of their Arguments, and desirous not to hear their tedious Preachments, sent his desires to the House of Peers, that any two of these thirteen (viz. Bishop of London, Bishop of Salisbury, Bishop of Peterborough, Dr. Sheldon Clerk of the Closet, Dr. March Dean of York, Dr. Sanderson, Dr. Bailly, Dr. Haywood, Dr. Beale, Dr. Fuller, Dr. Hammond, Dr. Taylor) might be sent to attend him as his Chaplains; his first Letter received no answer, which he therefore seconded, and then receives a Negative Answer, That all those Chaplains were disaffected to the established Government of the Church, and had not taken the Covenant, but for others that had, his Majesty might if he pleased have sent to him; This denial more afflicted the King then the shortning of his allowance, which the Parliament finding his Gardians somewhat too expensive, had done, though they had so lately shared amongst themselves such vast sums of the publick Revenue, remembering now to gratifie one another for imagined losses, and particularly to the five impeached Members, and the Children of those that were deceased and others, bountifully distributing large sums, viz. to Mr. Denzil Hollis 5000. l. to Mr. William Strodes poor Kindred 5000 l. to Mr. Hampdens Children for his opposing Shipmoney 5000 l. to Mr. Selden 5000 l. to the younger children of Sir John Elyot 5000 l. and his eldest Sons sine in the Court of Wards remitted, to Mr. Benjamin Valentine 5000 l. to Mr. Walter Long 5000 l. to Sir Miles Hubbart 5000 l. to Sir Peter Hamands Successors (his eldest Son a Member) 5000 l. to Mr. Vassal for his losse of Trade, and damage about Customs 10000 l. and to the Earl of Northumberland for his sufferings 30000 l. whereof 10000 l. paid him in part, Alderman Chambers had his demand for 22000 l. damage and losses committed; thus shared they the Kingdoms Treasure, whilst his Majestie was allowed what they pleased out of his own, and their Armies mutinied for want of their Arrears, as particularly at York, where the Garison Souldiers coming to Major General Poiners his house, broke the Windows, crying out, money, money, money, and himself coming out to pacifie them, they set their Pikes to his brest, and presented their Mulquers, swearing he should be their prisoner till their Arrears were payed, and so hurried him to the Mayor of York, whom another tumultuous Rabble had seized upon, and keeping them both Prisoners till the Committee had paid them off. This year on the 14. of September died the Parliaments old General Essex, at Essex-house in the Strand, he had for the most part since the laying down of his Commission, retired from publick affairs; yet the Parliament not forgetting the service hee had done them, gave five thousand pound to defray his Funeral charges, which were sumptuously solemaized on the 23. of October, the same day on which he fought at Edgehill. But let us a little leave the King at Holdenby; and jarrs increasing in the House of Commons betwixt the Presbyterian and Independant, the last seconded by the Army, which we shall find next year at a greater height.

CHAP. LXXVI.

A Relation of the Affairs in Ireland, since the Cessation in 1643.

THe Irish Rebels when the Cessation of Armes was concluded at Singifston, in the year 1643. were very desirous of a peace, but it appeared by their after actions, that they

they
for t
es th
priso
ticular
and C
other
them.
sioner
conclu
in the
of the
spun c
streng
for lup
Comm
been c
Ormon
gan, v
gainst
would
a Copy
invasio
would
the first
formed
sumed
of Host
of the d
improvi
singly,
places in
the Scot
contrary
now unc
Meath,
may ver
and the
already
gined by
him, T
compreh
His Maj
these Re
to make

they intended not the keeping of any by their ill observation of the Articles of Cessation; for they were so far from ceasing from Acts of Hostility, during that short term of a year, as they had agreed to, that they still continued plundering and pillaging the *English*, imprisoning or murdering their Persons, seizing on the Kings Forts and Castles, and particularly the Castle of *Wicklow*, which having surprized, they put all Men, Women and Children to the Sword; Nor yet satisfied, their inhumane cruelty afforded them other burial, than what the bellies of Ravening Wolves, (more mercifull than they) gave no them. Yet had they soon after the agreed Conclusion of the Cessation sent Commissioners to the King, to entreat that before the time of its extirpation a peace might be concluded, and hoped for some concessions for the free exercise of their Religion, wherein they were referred to the Lord Lieutenant *Ormond*; who, considering the necessity of the Kings affairs, would willingly have reduced things to a Pacification, but the Irish spun out all Treaties with such tedious delays, (the better only to gain time for the strengthening of themselves, which they did by sending their Agents unto Foreign parts for supply both of Men and Armes, and Money, and calling home such of their own Commanders as were abroad in any forreign service,) that in what might in a Moneth been concluded, nothing was effected in two years; whilst they likewise treated with *Ormond*, they underhand concluded some Articles of peace with the Earl of *Glamorgan*, who by a pretended Commission (for his Majesty disavowed it, and protested against it in his Declaration to the Parliament) granting such Articles to the *Irish*, as would have been to the totall Extirpation of the English Clergy, (these Articles with a Copy of the Commission were found in the Archbishop of *Tranes* pocket, who in an invasion made into the County of *Sleigo* by the *Scots* was slain) provided, that they would send over to the Kings assistance in *England* ten thousand men, six thousand on the first of *April*, 1645. and four thousand on the first of *May* following yet neither performed one title of that in relation to Assistance, nor claimed any favour by those presumed Concessions, but still continued their Treaties with *Ormond*, and their actions of Hostility against the English, against whom they proved so successfull, both by reason of the drawing away those Souldiers to the Kings service in *England*; and also by the improvidence of the English remainings, in not associating with the *Scots*, but warring singly, that *Owen Row-Oncale* by giving a fatal blow to the last, possessed himself of all places in *Leinster*, except *Drogheda* and *Dublin*; so that just after the Kings going to the Scottish Army, the English necessities enforced them to conclude a peace, though contrary to the Kings command, which were looked upon as enforced from his Majesty, now under restraint, and though the contrary was rationally urged by the Bishop of *Meath*, yet the visible assistance of the French, (who, whether out of any design, (as may very well be supposed) of themselves or no, endeavoured a peace with the Irish,) and the joining of the English with them too, under pretence to restore the King, had already sent 10000 l. as earnest of more towards his Majesties assistance, though imagined by the French Agents Letters to *Ormond* to be out of further design; who writ him, That if the King and Parliament should conclude a peace, it must be necessary to comprehend the Irish therein, and for their settlement in their due Rights: otherwise His Majesty must take the Irish into his protection; that advice of *Meaths* was for these Reasons qualified: but, That the Parliament of *England* had a design never to make peace with the Irish Rebels, may appear by their care to suppress them,

The Civill Warres

1646.

they having to that effect appointed the Lord *Lisle*, Son to the Earle of *Leicester*, Lord Lievenant General, and ordered him to beat up his Drum, and raise six thousand Foot, and eight hundred and fifty Horse in *England* and *Wales*; and afterwards when News came of the great Defeat of the Scots and English in *Ulster*, hee was Ordered to raise five thousand Foot more, and fifteen hundred Horse, and Armes, Money, and Ammunition were immediately to be sent over: But in the mean time *Ormond* had concluded a Peace with the Rebels, contrary, as I said, to the Kings Letters of the eleventh of *June* from *Newcastle*, wherein he had granted, that the *Irish* should not be bound to take the oath of Supremacy; That a Parliament should be held before *November*; That all AGs against the Roman Catholiques should be repealed; And that all places of strength should be put in the hands of Men of merit. The conclusion of this Peace proved by good Fortune of general good to the Protestants, for it caused a division amongst the Rebels, the Popes Nuncio and the Romish Clergy protesting against it, as being done without the privy or consent, and many of their Chief Towns, such as *Limerick*, *Waterford*, *Wexford* and *Galloway*, taking part with the Clergy, and disowning & opposing the peace, so that now things, at least, seemed to be better by it; for *Ormond* had now according to Article a party to joyn with, viz. those that stood for the Peace; for the Clergy at a Supream Council had absolutely disclaimed it, and further Ordered, That all and singular confederate Catholiques who should adhere to the said peace, or consent with the Favourites of it, or after any other manner should entertain or imbrace it, were absolutely to be accounted perjured, especially for this reason, Because there was no mention made of the Catholique Religion and security thereof, nor any regard had of the Consecration of the Country, as it was promised by Oath. But that all things were rather referred to the Judgement of our renowned King (from whom in this present estate they could have nothing settled:) And in the meantime the Armies, Weapons and Fortifications, and the Supream council of the Confederat Catholiques it self, were subjected to the Authority and command of the Council of State, and the Protestant Officers of his Majesty, from whom, that they might be leure, they had taken Oath. For which, and many other causes, being moved only by their Consciences, and having God before their eyes, that it might be known to all and singular, as well Irish as Strangers, that they have not, nor will give consent to such peace, except that safe condition (as well for our Religion as for the King, and for the Country according to their Oath) be offered unto them: And that their Flocks, and all other Catholick people without confederate Forces, who in those General meetings had sometimes asked their advice in this Spiritual businesse, belonging only to a Spiritual Judge, may know certainly what had been determined by them, to the end that the Godly and Faithful Catholicks obeying their Shepherds and Pastors, might concur in the same, They had commanded this Decree to be written and published in all places in the English and Irish Tongues, which they had confirmed with their Hands and Seals. But to the other question concerning Excommunication, they had referred it to the next Sessions. This makes *Ormond*, being willing to take the opportunity against the Rebels, to advance on the fourteenth of *September* with a party towards *Kilkenny*; but being informed of a design of some discontented Papists against his Person, he retired again to *Dublin*, where wanting both Ammunition and Powder for War, he was enforced to capitulate with two Captains of the

the Parliaments ships, upon the Coast of *Ireland*, to furnish him with necessaries for the prosecuting the War, who condescended to his Propositions upon assurance of his complying with the Parliament of *England*; for which condescension the Captains had the the Parliaments thanks; for indeed the necessities of *Ireland* then required it, the Rebels by the threatening order of their Clergy, to whom they were wholly devoted, being almost all reduced to their reason, and having taken *Acklew*, Castle belonging to the Protestants, and in it eighty persons, and one hundred Arms: And likewise *Marborough* Forts in the very Center of *Leinster*, whereby they had got into Sir *William Gilberts* quarters, and thereby reduced almost a thousand Protestants to their mercy, which had induced the Lord Lieutenant *Ormond*, out of compassion to his bleeding Country, not only to capitulate as aforesaid, with the Parliament Captains; but likewise to send Commissioners over into *England*, to proffer the surrender of *Dublin*, and all other places of strength in his power to the Parliament; but likewise himself to come over into *England*, if it should be thought fit, however, that speedy relief might be sent to *Ireland*, which the Parliament was willing to condescend unto; for though the Lord President of *Conought*, and the Lord Inchiquin in *Munster*, endeavoured with all their force to disturb the Rebels, yet was it judged, that the Rebels were powerfull enough to keep them in play, and send a sufficient force too to besiege *Dublin*, for they were now no less in Arms than fifteen thousand Foot, and two thousand Horse, under the command of *Owen O'neale*, *Prifson*, *Rodger Moore*, *Hugh Mac phelim*, *Brian*, and *Con. O'neale*, with many more chief Heads of *septs*, all agreed and resolved upon a siege of *Dublin*, to which effect they soon after set down and took all the out Garrisons round about the City, which at that time, though they bragged to storm, but might have found well provided; for there were in it three thousand Garrison Souldiers, and five Months provision, however the Parliament from *England* hasten all possible supply, send over their Commissioners to reside at *Dublin*, and with them Col. *Monke*, formerly there, and after in the Kings Service in *England*: But being taken prisoner, and lying in the Gatehouse, was thought a fit person to command in that Country, which he partly knew, and therefore had a command of a Regiment given him, and together with the Commissioners with 1870. Horse and Foot he Lands at *Dublin*, the Commissioners at their arrival there being welcomed by the Marquess of *Ormond*, with promise (say some) to have the Castle and Town delivered unto them; but the Lord Lieutenant afterwards gave them an absolute denial of its surrendry, affirming, that his Letters to the King not being sent to the Parliament according to conditions, he not having his Majesties full command for surrender, could not do it, upon this refusal, the Parliament Commissioners re-shipe their Souldiers, carrying them to *Belfast*, a Town in the North possessed by the Scots, and gave intimation by Letters to the Parliament of some suspicions they had, that the Marquess of *Ormond* did confederate with the Rebels, which they gathered from the Cession he was forced to agree to, by reason of the necessities he was reduced to by their deserting him. In the meantime, on the 28th of January, the Lord Lisle appointed Lord Lieutenant General of *Ireland* for the Parliament, set forth out of *London*, went over, viewed the Country, and when people thought he had leave been there, returned home again: But the Parliament more serious in their intended relief for *Ireland*, had resolved seven Regiments of Foot, three thousand Horse, and twelve hundred Dragoons, to be taken out of *Fairfax* his Army for that purpose, which resolution gave occasion to the Armies first mutinies; which after ended not but in ruine and confusion.

The Civill Warres

CHAP. LXXVII.

Montrose his Actions: in the year 1646.

THe ill Fortune which by the treachery of the Earls of *Hume*, *Roxborough* and *Traquair*, *Montrose* had had against *David Leslie*s potent Army at *Philiphaugh*, abated nothing of his Courage, Magnanimity and Resolutions, yet to endeavour his Majesties Service, therefore with all possible haste he marches Northwards, Forwards the *River Clyde*, being by the way met by many of his stragling Souldiers, and likewise by the Earls of *Crawford* and *Airley*, so that he was now got into a Body of two hundred Horse, and some Foot, with these passing the *Forth*, he makes all possible speed into *Athole*, and coming into *Perthshire*, sends the Lord *Dowglas* and *Airly* into *Angus*, and the Lord *Erskin* into *Marre* to raise their friends and dependants; *Dalyell* likewise was sent with Commissions to the Lord *Carnegy* to that purpose, and Letters he likewise dispatches to *Mac-Donald* and *Aboin* to come with their Forces, thus using all possible diligence for the gathering together a power, whilst in the mean time about *August*, the *Athole* men furnished him with four hundred Foot to march Northward, promising more upon his return from the North, but desiring now to be spared in regard it was harvest time; with these with incredible speed he marches over *Grainsbain* to joyn with *Aboin*, *Mac-Donald* and the other he had sent for Leavies, hoping to gather such an Army as might adventure to march Southward again, *Aboin* though forward enough of himself, yet was sometime detained by *Huntleys* forwardnesse, however at length hee came with fifteen hundred Foot and three hundred Horse to *Drummore*, a Castle of the Lord *Forbes*, with promises likewise that his Brother *Lewis* would ere long come with an additionall power, but the Lord *Erskine* falling sick came not, however thus impowered he returns the same uncouth wayes over *Grainsbain*, to take up his and *Murrays* Forces, hither he was followed by *Lewis Gordon*, who joyned and marched with him the first dayes journey, but the next most unworthily deserted him with all his followers: And not long after the Earl of *Aboin* with the rest of his friends and followers desired leave to return, pretending his Father the Marquesse of *Huntleys* command, whose Countrey was in some danger of the Enemy then about *Mar*, who threatened ludely to pillage his Countrey; yet *Aboin* was willing that his Father should be treated with, & therefore *Montrose* sent to him two of his Kinsmen, *Donald Lord-Rae*, and *Jermin*, whom he had lately relieved from imprisonment, *Rae* ashamed of *Huntleys* dealings, fell sick and could not return, but *Jermin* returned (and ever after stayed with *Montrose*) with doubtfull Letters, playing fast and loose, so *Montrose* was forced to permit *Aboin* to go, and himself with the remainder of his forces passes through the plains of *Mar*, *Scarshieck* into *Athole*, where having Recruited his Army, he falls into *Perthshire* whither *Aboin* sends him word that he had got leave to return, and would be with him before the time limited by his Furlough; here he likewise receives two Messengers, Captain *Thomas Ogilbie* of *Pomie*, and Captain *Robert Nisbit*, with commands from the King each after other to march Southwards, where he should expect a party of Horse to joyn with him, & therefore he dispatches the same Messengers with the letters to *Huntley* and *Aboin*, in vain a good while expecting the coming of the last at *Strathern* in *Perth*; and here losing by death the worthy Valiant and Learned Lord *Naper* of *Marchiston*, a man who had suffered almost all degrees of punishments for his Loyalty, he passes the *Forth*, coming in-

to the Lands of Sir John Buchanan, a stiffe Ring-leader of the Covenanters, and encamps at Leven near Glasgow, on purpose to deter the Convention of the Covenanters, who were then sitting in Judgement against some Prisoners, whom Montrose would willingly have rescued, but he had but three hundred Horse, and sixteen hundred Foot, and they had three thousand Horse for their Guard, yet they permitted him to waste the Countrey without resistance, but in the mean time they executed three Gallant men, Sir William Rollock the old fellow Souldier & companion of Montrose, Alexander Ogilvie son to Sir Jo. Ogilvie of Innerquharity, a youth but of eighteen years of age & Sir Philip Nisbit son to Sir Alex. Nisbit of that ilk, who had a Regiment in the Kings service in England, besides these at Glasgow, suffered two gallant Irish men at Edinburgh, Col. O. Caken, & Col. Laghlin, both for the new-found Treason against the Covenanters: In the mean time Montrose having six weeks in vain expected his absent Confederats out of the North, and the horse expected from England being defeated in their way, not able to keep the field in so piercing a hard Winter, on the 20th. of November he departs from Leven, and marching Northward over the Snowy Mountains of Taish, so through Woods and Bogs to Strather, passing the River Tay, returns into Athole, where he meets with Caprain Ogilvie and Caprain Nisbit, who had but ill successe in their Embassey to Huntley, for they could not perswade him to any Reason, yet Montrose sends Daltell to mediate with him about the Kings Affairs, and to endeavour his joyning Forces with him for his service, at least, that he would admit of a conference with Montrose; but he received no other answer but a peevish sighing; The Marquesse therefore resolves to surprize him, and try if his presence could reduce him to any rational compliance, and therefore in the depth of Winter, marching with a small party through Angus, and so over Grainsbain Hills he comes to strabogy where Huntley was, but having advice of his coming, posts away to his Castle of Bogie, upon the mouth of the Spey, whither Montrose with only two men disguised in all speed follows him, rushes in, salutes him, brings him to a conference, and over-powering him with Reasons, forces him to a friendly compliance, and so both being resolved to joyn in their Sovereigns cause, Huntley passes over the Spey, and falls into Murrayland South-west, whilst Montrose fetching a compass Southward by Strathspey, joyns with him, and so they besiege the Garison of Innernesse, a Garison on the North of Murrayland near the Lake of Ness; here likewise the Earl of Aboin and Lewis Gordon confirm the friendship promised by them, and by Oath assure their ready Obedience, and that they would either by force or fair means endeavour the bringing of the Earl of Seaforth to their party; The Marquesse in his march to Innernesse had sent Patrick Graham and Drummond to raise the Athole men, who by reason of the Argyle parties falling in upon them were in some distresse, for the Argylians with fifteen hundred men had fallen into the Mac-Gregories and Mac-Nabies Quarters, fired a Town in the Lakes, & besieged Ample Castle, from whence the Athole men forced the to rise, and pursuing them from their Leaguer, they faced about and fought, but were utterly routed, and many of them slain, the Athole men having performed this service, went and joyned with Montrose, who had here news brought of the Death of three worthy men his friends, to wit, Sir William Spotswood, Andrew Guthrie and William Murray son to the Earl of Tullibardin, who were all executed for their Loyalty by the Convention at St. Andrews, nor had the Lord Ogilvie escaped the same fate, had not he feigning himself sick, got leave for his Mother, Wife and Sisters to visite him in prison,

and

1646.

and whilst the Jaylour withdrew, shifted Clothes with his Sister, and left her there a Prisoner in his stead. These mens Deaths excreably troubled *Montrose*, whose vexations were increased, with the time which *Huntley* spent in plundering as he marched, and in retreating to the *Spey*, thereby giving leave to the relief of *Inverness*, notwithstanding *Montrose* several Messages to him, either to return to the Siege, or come and joyn Forces to oppose a new Enemy, for *Middleton* was coming from the *Scotts Army* in *England* with six hundred Horse, and eight hundred Foot, but *Huntley* refused, thereby giving very ill example to others, who now began to come in so thick and threefold, the chief of which with their followers and dependants, were the *Earl of Seaforth*, the *Lord Rae*, and from the furthest Islands, *Sir James Mac-Donald* and *Glenary* chief of the *Mac-Renalds*, together with the *Mac-Lins*, so that had *Huntley* joyned he might have marched Southwards with a greater Army then *Scotland* had many years seen; but the unexpected revolt of so great a Personage, whom yet *Montrose* seeing he could not persuade to march Southward, that at least hee would joyn with him to besiege *Inverness*, a convenient Sea-Port, as was agreed; but receiving nothing but scornfull Answers, himself sits down to the Siege, and sends thre Troops of Horse to the Fords of the *Spey*, to observe the motion of the Enemy, but by a Treachery of *Lord Lewis Gordon*, the Enemies Army were permitted to passe the *Spey*, and before these Horse could get to him, the Enemy was so near, that they seemed to be their Van, but the *Marquesse* had had notice of their approach another way, so that having timely notice, he drew off from the siege and from the Enemies strength of horse and so enduring some Skirmishes with equal losse, hee retreated beyond *Nessa*, and so through *Long-nesse*, *Strath-lasse* and *Harrage* to the Banks of *Spey*, where understanding that *Huntley* was at his Castle of *Bogy*, takes only a Troop of Horse, and Gallops thither twenty miles, sending one before to tell him that he was coming only to kisse his hand, and to advice with him in the Kings Affairs; but *Huntly* having advice of his coming, immediatly took horse and fled, and the *Marquesse* perplexed at the losse of his labour returned, where he found that *Huntly's* defection had made the *Earl of Seaforth* and others begin to falter, which made *Montrose* resolve, that seeing by fair means he could not work upon them, that he would force all the Northern parts to comply, whilst *Huntly*, that he might do something by himself, besieged *Middleton*, who with five hundred Men was entred into *Aberdeen*, the Town he takes by Storm, though with great losse to his party, wherefore he gave the plunder of the Townsmen, many of them Innocent and Loyal, to his High-landers, but permits all the prisoners which he had taken of *Middletons* Party to go free, & looked fauntingly upon them, as though he had rather been a Petitioner then a Conqueror, *Montrose* in the meantime pursuing his design of reducing the Northern Parts, on the last of May comes a Herald from the King, commanding him to disband, and passe over into *France*, till his Majesties further pleasure; This Message perplexed him, he therefore sends to acquaint *Huntley* with it, and to desire a Conference, but he according to his usual Churlishnesse, returns answer, That the King whose Commands would not admit of second thoughts had written him the same, and that he was resolved to obey, and when the Messenger returned answer, That that was likewise *Montrose's* his opinion, and that he was as ready to give obedience to the Kings Commands as any other, if they were not forced; however it concerned them all in time to consider of the safety of them and theirs, and that the Credit and Authority of what they

they
if they
he ha
fore b
where
stood
ther h
for hi
tinued
his pa
ters h
he res
testing
nor lay
desire
many
ters, a
trimli
draw t
so that
the Ki
August
would
ding to
the Ha
Drum
heart, I
German
worthy
so well

Dij

T
for
Forces, a
the King
Servants,
Warre,
give them
Masters a
of Their
They ha

they resolved upon, would be greater even in the opinion of their Enemies themselves, if they made a joynt and unanimous resolution; he returned no other Answer, but that he had resolved with himself, and would do nothing with any body else; *Montrose* there fore before he would resolve to lay down Arms, sends an answer to the Kings Letters, wherein he humbly presumed to be so far inquisitive of the Condition in which the King stood with the Covenanters, Whether he conceived himself safe in their Hands? whether he would disband that Army of friends who had ventured their lives and Fortuns for him, and expose them now to the mercy of their Implacable Enemies, who still continued in Arms? Otherwise, what course should be taken for their safety, and whether his particular Service might be acceptable to the King in any other way? To these letters he received no other Answer, but some open Articles from the Covenanters, which he refusing as unconscionable, immediately dispatches Messengers back to the King, protesting, that as he had not taken up Arms but by the Kings Commission, so hee would not lay them down but upon such Conditions as he should think fit, which he therefore desired him to sign, resolving to submit to them though never so harsh, In the mean time many of the Marquesses friends deserted him, and made their peace with the Covenanters, and *Huntly*, to ingratiate himself, promised to force *Montrose* to a submission, *Artrim* likewise without any forces, was come into the High-lands, and endeavoured to draw the High-landers from him, whom in soon he called Governour of the Low-lands so that he was forced to accept of the Covenanters Articles, by which he was to depart the Kingdome by the first of September, and these things were transacted the first of August, so that he had but a just Month to bee gone in, which time the Covenanters would fain have had him out-slipped, and therefore neglected to send him a ship according to Articles; but he knowing their design, meets with a *Norway* man of *Bergen* in the Haven of *Monroffe*, whither he before sends his Chief friends; *Sir John Hurry*, *John Drummond*, *Henry Graham*, *John Spotswood*, *John Lilly*, *Patrick Melvin*, *George Wifheart*, Doctor of Divinity, *David Guthrie*, *Pardus Lafound* a Frenchman, and *Rodolph* a German; and himself soon after follows disguised, as servant to Mr. *James Wood* his worthy Chaplain, and so imbarquing, leaves the Covenanters rejoycing, that they were so well rid of him their Terror.

1646.

209

7.

CHAP LXXVIII.

Discontents and Mutinies in the Army, Difference between them, The City and the Parliament; They seize the Kings Person.

THE more then Fortunate successe of the Parliament forces over all the Kingdom for this Year and a half last past, had given them full victory over his Majesties Forces, and such ample and absolute possession of all the Forts, Castles, and strength of the Kingdom, so that they had no Enemy to fear, but only those who had been their Servants, and acted under their Command in the bloody Tragedy of the Late Warre, Whose known Power, and Pride of their late Victories and Successes might give them just occasion to Fear, that from Servants they might attempt to become Masters and therefore thought it no piece of ill grounded Policy to clip some Part of Their Power, by drawing away a Convenient strength from them which They had so fair a Pretence and Opportunity to do, as the relief of Ireland

1647.

was;

1647.

was; whither the Parliament had voted, That eight thousand Foot, two thousand Horse, and twelve hundred Dragoons should be transported; and that the rest of the Army should be new-modelled, and a part of them disbanded; but the chief Commanders of the Army having by the subtle policy of Lieutenant General *Cromwell* been conferred on his Friends & Allies, most of them of Independant tenears, who bore counter with the design of the Presbyterians in the House, absolutely in a Council of forty five Officers refuse to go for *Ireland*, and instead of obeying the Parliaments commands, draw up a Petition for Provision, That the Army might be indemnified, and their Arrears paid for their past services in *England*, That the Foot-Souldiers might not be prest out of the Kingdom, nor the Horse-men compelled to serve on Foot, That the Widows and Children of Souldiers slain in their Service might be provided for, and that untill the Army should be disbanded, they might receive their pay to discharge their Quarters, and not burthen the Countrey. This Petition which carried up and down the Army, and was the first fruits of their refractorinesse against their Masters, was to have been presented by the Lieutenant General *Hamond*, Commissary General *Ireton*, Collonel *Hammond*, and Collonel *Rich*: but by some yet faithfull Commanders, (not engaged in the grand Design which was to be carried on by *Cromwell* and *Ireton*, and the Chief of their Friends in the Army, nor corrupted by Sloath and Idleness, the ruine generally of Armies) discovered to the Parliament; who immediately sent for those Officers who should have presented it, and before their coming declared their high dislike of it, and their approbation and esteem of the good service of those who first discovered it, That if the Subscribers should forbear to proceed any further therein they should be retained in the Parliaments good opinion; but such as continued in their distempered condition, should be proceeded against as enemies to the State. Yet this being their first fault, was easily passed by, no noile made of it, nor further proceedings in it, till the Common Souldiers; privately encouraged by their insinuating Commanders, but more publicly by a Letter of their Generals to some Members of the House of Commons, wherein he expostulates about a late Petition of the City of *London*, and another Petition then on Foot in *Essex* against the Army, That the Souldiers especially the Horse, were much troubled, that they might not be permitted to Petition, whilst Petitions were permitted against them, That they had therefore resolved to draw to a *Randevouz*, and compose something in vindication. And soon after they prosecuted their resolutions, publishing their Apology to their General, complaining of a design to new-model and disband the Army, which they stile a plot or meer cloak; for some who had lately tasted of Sovereignty, and being lifted up beyond the ordinary Sphere of Servants, sought to become Masters, and degenerated into Tyrants; they therefore utterly refuse either the Service of *Ireland*, or to disband, till their desires were granted, and the Rights and Liberties of the Subjects vindicated and maintained. This Apology, as they called it, was presented, signed by several whom they called Agents, of the respective Regiments, who are voted by the Parliament to be Enemies of the State, and some of them imprisoned, which make them complain to their General in a higher tone, That they for speaking for the Rights and Liberties of the Nation were some of them slighted, abused, beaten, and dragged to Goals, to the ruine of their Estates, and losse of their lives. These proceeding extremely troubled the Parliament, who began to perceive from what fountain they were derived, and that the ambition of those who were their

Servants,

Servants, would, if not prevented, prove the ruine both of them, their Power, and the whole Government of the Kingdoms; whereupon they resolved to hazard all, and Strike up in a higher Key, though in the mean time they carelle them too, for their Commissioners lent down to the Army, acquaint them, That they had sent the refuse of the Parliament for addition of fourteen dayes pay more to the Army, and the act of Indempnity for the Officers. But in the mean time they vote, *That all the Forces of this Kingdom, not subscribing for the service of Ireland should be disbanded, excepting these for the continued Garrisons, and that it should be referred to the Council at Debby-Houle to consider, when the General, then at London, should repair to the Army.* Which he was not many dayes after forced to do, the Army being upon this Vote in a direct mutiny, nor would his coming appeale them, till the Parliaments Declaration against the Army was raled out of the Journal-Books of both Houles; the Reformadoes and Souldiers about London flocking to the Doors of the Parliament-Houle, nor untill their desires were granted, suffering any to passe in or out: and for their further pacification, so were they now forced to comply with them: they were forced to send down the Earl of Nottingham, the L. Wharton, Field Marshal Skippon, Sir Henry Vane junior, Sir Thomas Widdrington, Collonel White, Mr. Scawen, and Mr. Pury, Commissioners for the Parliament, to treat with Commissary General Ireton, Sir Hardresse Waller, Collonel Rich, Collonel Lambert, and Major Desborough, Commissioners for the Army; Their first meeting was at Wickham, where the Army Commissioners told the Parliaments, That besides their former desires, they had several things of weigth to adde, which might conduce to the peace and safety of the Kingdom; but during this Treary, the Army thinking it would be an advantage to them if they should take the King into their possession, on the third of June sends a party of Horle, under the command of Coronet Foyce, a confident of Cromwells, to Holmeby, who having secured the Guards demands the King of the Commissioners: They amazed at it, asked him for his Warrant who told them, That it was the tence of the Army, nor did hee say any more to the King, only promising the security of his person, and so the next day after Dinner carried him, with the Commissioners. away towards the Army, who were to Rendezvouz at Kenford, within six miles of Bury, and so to come to Newmarket; the King upon the Advice of his person immediately dispatched a message to the Parliament by the Earl of Dunfermling to acquaint them, *That he was unwillingly taken away by a part of the Army, desiring the Parliament to maintain the Laws of the Land, and though he might sign to many things, being in this condition, yet not to be belived till further notice to the House.* But the General in his Letter to the Parliament acquainted them, *That the Souldiers at Holmeby had brought the King thence by consent, and lay at Collonel Montagues the next Night, and would be at Newmarket the next Day, That the ground there- of was from an apprehension of some strength gathered to force the King from them; where- upon he sent Collonel Whalleys Regiment to meet the King and Commissioners; but they refused, being come to Sir John Cuts near Cambridge, professing, that this remove was without his consent, his Officers about him, or the body of the Army, or without their desire or privity; That he will secure his Person from danger, assuring the Parliament, that the whole Army endeavoured peace, and were clear from opposing Presbytery, or asserting In- dependency. or to hold a licentious freedom in Religion, or interest in any particular party, but to leave all to the Parliament.* Thus he makes the Kings remove to be by his own

1647.

consent, which certainly was nothing so, though probably it might be done without the Generals privy; but however it was, the action so extremely startled the Parliament, that they voted sitting next day, though Sunday, and Mr. *Marshall* was desired to pray for them: but more affrighted were they when news was brought them by three Colonels Reformadoes and Actors at London, That a Major of the Army had given them assurance, that the Army was marching, and would be with the Parliament by Noon next day, and advising the Colonels to return with him to the Army, where they should be concluded within the Capitulation for their Arrears. The same news being likewise confirmed by a Letter sent to the Lord Mayor and Common Council of London of the Armies intentions; The Committee of Safety were hereupon sent to sit all night, and consider what was fit to be done, and a message was immediately voted to be sent to the General to desire him not to come within twenty five miles of London, and that ten thousand pound should immediately be sent to the Army; the City Trained-Bands were likewise drawn out upon pain of Death; The passes of the lines of Communication guarded, the Shops shut up, and such a hubbub all over it, as if the Army were firing it at their backs, but as the City stood for the Parliament, so the Army were by (at least forged) Petitions of many thousands in several Counties hastned up to London, and desired not to disband till all things were well settled, but for this time they thought they had sufficiently frightened the Parliament and City, and so the Army come no farther than St. *Albans*, whence the General writes, that the Army was come thither before the Parliaments desire came to his hands, but that in obedience to their commands he would advance no farther, desiring that a Months pay might be speedily sent to the Army, wherein he was very dutifully complied withall; though the Army refused to comply with that Vote of the Parliaments, (That the Kings Person should be delivered to the former Commissioners; to the intent, that Propositions of Peace might speedily be sent to His Majesty, and that Colonel *Roffiter* and his Regiment might guard the Kings Person) for they were resolved not to part with the King out of their Clutches, till they had perfected their designs. In part of which, here at St. *Albans* they publish their Rerepresentation, wherein after the special Preamble of their real Intentions, for the good and safety of the Kingdome, &c. They laid down several Propositions for settling and securing their own and the Kingdoms rest and peace, grounded upon these (as they call them) positive Articles, That the Houses might be speedily purged of such as ought not to sit there; That such who abused the Parliament and Army, and endanger the Kingdom may be speedily disabled from doing the like or worse; That some determinate period of time might be set to this and future Parliaments, according to the intent of the Bill for trienniall Parliaments; That Parliaments may not be adjournable or dissolvable by any power, but by their own consent during their respective period, and then to determine themselves; That the Freedom of the people to present Grievances by petition to Parliaments, may bee vindicated; That the exorbitant power of Country Committees may be taken away; That the Kingdom may be satisfied in the Parliaments accounts for their vast sums received, &c. also in diverse other things wherein the Common wealth hath been abused; That after delinquents hath paid their Compositions an Act of Indemnity might be passed. These were the heads of their high-flown Rerepresentation, but their designs stayed not here, next to fair pretences they must proceed to action; there were some Patriots in the House of Commons, who in opposition to them, stood stiffly for the Laws and Liberties of their Country, these therefore

were

were thought fit to be removed out of the way, and to that effect a Charge of High treason in General, without mentioning any particular circumstance, is brought up from the Army by four Colonels, *Scroop, Okey, Hewson and Pride*, two Lieutenants, Colonels, *Bowen and Goffe*, Major *Deshorough* and five Captains, *Berry, Clark, Carter, Rolph and Sexby*, against eleven members of the House of Commons, to wit, *Denzil Holles*, Esq. Sir *Philip Stapleton*, Sir *William Lewis*, Sir *John Clotworthy*, Sir *William Waller*, Sir *John Maynard*, Major General *Massey*, Mr. *Glyn* Recorder of London, Col. *Walter Long*, Col. *Edward Harley*, and *Anthony Nichols* Esq. And to their charge so brought up, follows a paper to the Parliament from the General and the Army, telling them, that in pursuance of the Representation they had the heads of a charge against those Members, and should appoint fit persons on theirs and the Kingdoms behalf, to make good the same; that if the Parliament should admit the Debate and consideration, then the Army should desire, That the Persons impeached might be forthwith suspended from sitting in the House, who had so notoriously appeared to the prejudice and provocation of the Army, and unfit to be Judges therein; That a months pay might be immediately sent down to the Army, the next day by noon at farthest; That if those Officers and Souldiers of the Army, who had engaged in *Ireland*, or those who had deserted the Army and gone to *London*, had received more then a Months pay, that then so much money might be sent to the Army to make their pay equal; That hereafter they should have no pay till the Army were paid their Arrears; And concerning secret practices and designs to raise and lift new forces, and those engaged in *Ireland*, to march towards *London* to engage in a second Warre: That no force be further raised or invited from forein preparations, to interrupt the Liberty and Peace of the Kingdomes; And that all the requests might be speedily performed, the condition of the Army and Kingdom, and King himself not admitting delays: to all the desires of the Army the Parliament readily concurred, except only to that for the suspending of the XI. Members from sitting in the House, concerning which they voted, That by Law no judgement could be given to suspend those Members, before the particulars of the Papers be produced, and the proofs made, declaring that those members had not done or said any thing within the House, for which the house could suspend them; bur the Army to these Vots, return Answer, That they could prove them guilty of such practices in the house, as it would be just for the House to suspend them: That by the Laws of the Land, and Parliaments Presidents, in the cases of the Earl of *Strafford*, Archbishop of *Canterbury*, and the Lord Keeper *Finch*, they might be suspended the House upon the very Papers of Acculation given in against them: But the Army need not have been so earnest against them, for to suspend their sitting, for they themselves knowing how great a vanity it was to stand out against such powerfull enemies, had retired themselves, and forborn the House. The Army had now to give some satisfaction to the Parliament; removed their Quarters to *Wickham*, and the King being removed from *Royson* their first Head-quarters to *Hatfield*, the Earl of *Salisbury*, and from thence to *Casam*, the General at his Majesties desire, sent a Letter to the two Houses to crave leave that the Kings Children might have leave to visite him. he had often himself desired it of the two Houses, but cou d not obtain it; In Sir *Thomas Fairfax's* Letter to the House of Lords, the King inclosed one to the Duke of *York*, commanding him to ask leave of the two Houses; that he, his Brother and Sister, might come to see him, at least that they might come (if

The Civill Warres

1647

the Parliament would grant no more) to some place to Dinner, and return at night, hee having procured Sir Thomas Fairfax's Engagement, that they should come and go without impediment; and according to the Kings desire they were permitted to go and met him at Maidenhead, where having dined together, they went with the King to *Casam*, & there stayed two dayes; The reason that had made the Parliament unwilling before to grant the Kings request, was, least the Army should have likewise detained his Majesties Children, for there were then some jealousies in the Parliament, least the King should come to an agreement with the Army without them, several Pamphlets being then printed, of heads presented by the Army to the King, and of Articles agreed upon between the King and the Army; nor wanted there at the same time Jealousies of the Parliament in the Army, of a private engagement and Lifting in the City of London, against the Army, but however the Parliament were daily troubled with the tumultuous Petitions of Apprentices, one Rabble in the morning petitioning one thing, and another in the afternoon for the just contrary; so that the Parliament were forced to make an Order That the votes of the Militia in the hands of the City should be null, and that it should be Treason to seek Subscriptions to Petitions; but this Order displeased both parties they clamoured in such Malignant multitudes in Westminster Hall, and at the Parliament house door, that they were forced to revoke their Order: During this Hubbub in the City, news was again brought that the Army was marching up against London, whereupon all the Trained bands of London were ordered to man the Works, and who ever were able to bear Arms, were ordered to appear in defence of the City, against the Army; this proved only an Allarm, but long it was not ere they come up in earnest, for after long debate between the Commissioners formerly sent by the Parliament to *Wickham* and those of the Army, these last came to this result, That a Declaration should be published by the Parliament against the coming in of any forrein Forces That the pay of the Army should be put into a constant course, and accountants called in question. That the Militia of London return into former hands well affected; That all Persons imprisoned for pretended misdemeanours, not by course of Law, but by order of Parliament or their Committees, should have Liberty of Bail and afterwards of Tryal, that if innocent, they might have reparation; Lieutenant Colonel John Lilburn, Mr. Mulgrave, Mr. Overton and others imprisoned at London or any other places contrary to the Acts and statutes of the 35th Eliz. and the 3. James, against Conventicles or meetings in pretence of Religious exercises: The granting of these demands of the Army, the Parliament voted to be contrary both to their Honour, and Interest, yet at length condescended they to many, one, the altering of the Militia of the City of London, and putting it into other Hands, such as pleased the Army; this sudden Alteration of the City Militia, Without at all advising with the common Councill according to Custome, extremely Startled them, so that Calling A Common Councill, and considering that this Ordinance for their Militia, being altered only upon the Imperious Commands of the Army, They Justly suspected that all other Ordinances for security of Moneys, Isle of Bishop Lands, &c. might by such like Commands be likewise repealed, and therefore they resolved on Monday the 26th of July to Petition the Parliament, by their Sheriffs and Common Councill, but about two or three hours after, about a thousand Petitions in a Tumultuous manner coming down to Westminster with a Petition of their own, claiming, That the ordering of the City Militia was the Cities Birth-right, belonging to them by

of Great Britain and Ireland.

213

1647.

by Charters confirmed in Parliament, for defence whereof they had adventured their lives as far as the Army, and therefore desiring that their Militia might be put again into the same hands, as it was put by the Parliaments and Cities consent in the Ordinance of the fourth of *May*. These came first with their Petition to the Houle of Lords, who immediately revoked that Ordinance of the 23. of *July*, and revived that of the fourth of *May*, and then sent down to the Commons for their assent, which by the clamorous Appreintices was likewise gained; and the same day the Lords adjourned untill *Fryday*; but the Commons sate the next day, and then likewise adjourned till *Fryday*; when the two Houles met again, and about 140. of the Commons having sate a good while in the Houle, the Sergeant coming with his Mace was asked where the Speaker was, who answered, That he went the last night out of Town, and that he expected him there again this morning; but being more strictly examined, he withdrew himself: some were therefore sent to the Speakers Houle to enquire for him, who brought word from his servants, That they conceived he was gone to the Army, no otherwise then those who were in the Houle conceived, and had in the interim chosen Mr. *Pelham* Councellour of *Lincolns-Inne*, Speaker, and M. *Norfolk* having borrowed the City Mace, they began to Vote, (the like being done in the Houle of Lords, who had chosen the Lord *Grey* in the place of *Manchester*) and first they vote in the eleven Members impeached by the Army; They next revive and set up the Committee of Safety by Ordinance of both Houles, enabling them with the restored City Militia, giving power by several Ordinances to them to list and raise Forces, appoint Commanders and Officers, and issue forth Armes and Ammunition for defence of both Houles and the City against all that should invade them; But whilst they are thus preparing for their self-defence, the Army draw the two Speakers, and the fugitive Members to sit in Consultation, and passe Votes promiscuously with the Council of War in nature of a Parliament, and subscribing to an Engagement to live and die with Sir *Thomas Fairfax*, and the Army. In the mean time the General sends a Letter to the City, expressing his resentment of these Disorders, dated from *Bedford* the 30. h. of *July*, wherein he tells them That they might please to remember the forward compliance of the Army, with their desire to remove at that distance, upon assurance that they would secure the Parliament from violence; And therefore they could not be sensible of the unparalleled violation acted upon the Parliament on *Monday* the 26th of *July*, by a multitude from the City, with encouragement from divers Common-Council-men; a prodigious and horrid fact tending to dissolve all Government, and that they look upon them as accountable thereby to the Kingdom for the interruption thereby of the peace and settlement of the Nation, and relieving of *Ireland*: upon which score the Army would put every thing of the like nature, except Justice were done upon the Offenders. But the City for all this standing upon their Guard, he draws his Army together, and marches towards *London* with such speed, that in two dayes he got to *Uxbridge*, and some Horse were sent *Windsor*; soon after they Rendezvouz on *Hounslow* Heath twenty thousand Horse and Foot, with a great Train of Artillery, to strike the greater terror into the City, who send hither their Commissioners, six Aldermen, and six Commoners, who complain to the General, "That the City was suspected, but yet innocent from acting against the Army," and therefore these their Members they sent to be added to their Committee now attending the Council of the Army, and pray the General to forbear the mischief of a

new.

The Civill Warres

1647

the Parliament would grant no more) to some place to Dinner, and return at night, hee having procured Sir Thomas Fairfax's Engagement, that they should come and go without impediment; and according to the Kings desire they were permitted to go and met him at Maidenhead, where having dined together, they went with the King to *Casam*, & there stayed two dayes; The reason that had made the Parliament unwilling before to grant the Kings request, was, least the Army should have likewise detained his Majesties Children, for there were then some jealousies in the Parliament, least the King should come to an agreement with the Army without them, several Pamphlets being then printed, of heads presented by the Army to the King, and of Articles agreed upon between the King and the Army; nor wanted there at the same time Jealousies of the Parliament in the Army, of a private engagement and Lifting in the City of London, against the Army, but however the Parliament were daily troubled with the tumultuous Petitions of Apprentices, one Rabble in the morning petitioning one thing, and another in the afternoon for the just contrary; so that the Parliament were forced to make an Order That the votes of the Militia in the hands of the City should be null, and that it should be Treason to seek Subscriptions to Petitions; but this Order displeased both parties they clamoured in such Murinous multitudes in Westminster Hall, and at the Parliament house door, that they were forced to revoke their Order: During this Hubbub in the City, news was again brought that the Army was marching up against London, whereupon all the Trained bands of London were ordered to man the Works, and who ever were able to bear Arms, were ordered to appear in defence of the City, against the Army; this proved only an Alarm, but long it was not ere they come up in earnest, for after long debate between the Commissioners formerly sent by the Parliament to *Wickham* and those of the Army, these last came to this result, That a Declaration should be published by the Parliament against the coming in of any forrein Forces; That the pay of the Army should be put into a constant course, and accountants called in question. That the Militia of London return into former hands well affected; That all Persons imprisoned for pretended misdemeanours, not by course of Law, but by order of Parliament or their Committees, should have Liberty of Bail and afterwards of Tryal that if Innocent, they might have reparations; Lieutenant Colonel John Lilburn, Mr. Mulgrave, Mr. Overton and others imprisoned at London or any other places contrary to the Acts and statutes of the 35th Eliz. and the 3. James, against Conventicles or meetings in pretence of Religious exercises: The granting of these demands of the Army, the Parliament voted to be contrary both to their Honour, and Interest, yet at length condescended they to many, one, the altering of the Militia of the City of London, and putting it into other Hands, such as pleased the Army this sudden Alteration of the City Militia, Without at all advising with the common Councill according to Custome, extremely Startled them, so that Calling A Common Councill, and considering that this Ordinance for their Militia, being altered only upon the Imperious Commands of the Army. They Justly suspected that all other Ordinances for security of Moneys, sale of Bishop Lands, &c. might by such like Commands be likewise repealed, and therefore they resolved on Monday the 26th of July to Petition the Parliament, by their Sheriffs and Common Councill, but about two or three hours after, about a thousand Petitions in a Tumultuous manner coming down to Westminster with a Petition of their own, claiming, That the ordering of the City Militia was the Cities Birth-right, belonging to them by

of Great Britain and Ireland.

213

1647.

by Charters confirmed in Parliament, for defence whereof they had adventured their lives as far as the Army, and therefore desiring that their Militia might be put again into the same hands, as it was put by the Parliaments and Cities consent in the Ordinance of the fourth of *May*. These came first with their Petition to the House of Lords, who immediately revoked that Ordinance of the 23. of *July*, and revived that of the fourth of *May*, and then sent down to the Commons for their assent, which by the clamorous Apprentices was likewise gained; and the same day the Lords adjourned until *Fryday*; but the Commons sat the next day, and then likewise adjourned till *Fryday*; when the two Houses met again, and about 140. of the Commons having sat a good while in the House, the Sergeant coming with his Mace was asked where the Speaker was, who answered, That he went the last night out of Town, and that he expected him there again this morning; but being more strictly examined, he withdrew himself: some were therefore sent to the Speakers House to enquire for him, who brought word from his servants, That they conceived he was gone to the Army, no otherwise then those who were in the House conceived, and had in the interim chosen Mr. *Pelham* Councellour of *Lincolns-Inne*, Speaker, and M. *Norfolk* having borrowed the City Mace, they began to Vote, (the like being done in the House of Lords, who had chosen the Lord *Grey* in the place of *Manchester*) and first they vote in the eleven Members impeached by the Army; They next revive and set up the Committee of Safety by Ordinance of both Houses, enabling them with the restored City Militia, giving power by several Ordinances to them to lift and raise Forces, appoint Commanders and Officers, and issue forth Armes and Ammunition for defence of both Houses and the City against all that should invade them; But whilst they are thus preparing for their self-defence, the Army draw the two Speakers, and the fugitive Members to sit in Consultation, and passe Votes promiscuously with the Council of War in nature of a Parliament, and publishing to an Engagement to live and die with Sir *Thomas Fairfax*, and the Army. In the mean time the General sends a Letter to the City, expressing his resentment of these Disorders, dated from *Bedford* the 30. h. of *July*, wherein he tells them That they might please to remember the forward compliance of the Army, with their desire to remove at that distance, upon assurance that they would secure the Parliament from violence; And therefore they could not be sensible of the unparalleld violation, acted upon the Parliament on *Monday* the 26th of *July*, by a multitude from the City, with encouragement from divers Common-Council-men; a prodigious and horrid fact tending to dissolve all Government, and that they look upon them as accountable thereby to the Kingdom for the interruption thereby of the peace and settlement of the Nation. and relieving of *Ireland*: upon which score the Army would put every thing of the like nature, except Justice were done upon the Offenders. But the City for all this standing upon their Guard, he draws his Army together, and marches towards *London* with such speed, that in two dayes he got to *Uxbridge*, and some Horse were sent *Windsor*; soon after they Rendezvouz on *Hounslow* Heath twenty thousand Horse and Foot, with a great Train of Artillery, to strike the greater terror into the City, who send thither their Commissioners, six Aldermen, and six Commoners, who complain to the General, "That the City was suspected, but yet innocent from acting against the Army," and therefore these their Members they sent to be added to their Committee now attending the Council of the Army, and pray the General to forbear the mischief of a

new.

The Civill Warres

"new War. And still as he drew nearer, the City met him with humbler messages;
 "That finding his desires of marching so near was to settle the Members of the Lords and
 "Commons in their Liberties of Parliament, to which the City would contribute all
 "their power and service; and praying with all submission, that he would be pleased to
 "send a Guard of several Regiments as might conduct them to the Parliament in safety,
 "and that the Passes and Ports should be set open for them, and what else his Excellen-
 "cy should command. Some Brigades of the Army under *Rainsborough, Hewson, Pride,*
 and *Thistwell*, crossing over *Keingsstone* Bridge, marched without opposition into *South-*
work, as far as the Bridge Gate, which they found shut, the Portcullis let down, and a
 Guard within, therefore having planted two Guns on the one side, & made a stand, *Hew-*
son marches into *Saint Georges-fields*, and summons the great Fort in *Lambeth High*
way, which was immediately surrendered to him. The General on the other side of the
 City coming on, slowly on the fourth of *August* demands all the Forts on the West-side
 of the City to be surrendered to him, to which Summons the Common-Council then
 sitting returned answer, That they humbly submitted to his Excellency's Commands,
 professing their readinesse to comply with his Army: in pursuance of which they had
 given Order to their Militia for the drawing off all Forces and Ordinance, And that
 now next under Almighty God they must rely upon his Excellencies honourable word
 for their safety and protection. At *Kensington* the General was met by the City Com-
 missioners, and by the Members of both Houses, who had been driven away by the
 Tumult, and forthwith a Declaration was published of the mutual joyning of the Parli-
 ament and Army, making null all Acts passed by those Members who continued at *West-*
minster after the 26th. of *July*; at *Hide Park* the Major and his Brethren came to con-
 gratulate the General, who marched that day in state to *Westminster*, and the next in
 triumph with his whole Army through the City, the Souldiers as if they had obtained
 some signal Victory carrying bayes in their Hats, and the General taking possession of
 the Tower, of which the Parliament at their first re-setting had made him Constable;
 in which the Citizens after inviting him to a Feast, desired him to continue Colonel
Wess his Deputy Lieutenant; but he refused, telling them, he had appointed a *Citi-*
zen, one of his own (or rather one of *Cromwells*) Colonel *Tichborn*.

CHAP. LXXIX.

*Propositions sent to the King; The beginning of the Agitators; The King escapes
 to the Isle of Wight, the first Treaty there; Votes of Non-Adresse.*

THE Army had now effected their long-wished for design of marching up to *Lon-*
don, there to curb both Parliament and City, and to make them act according to
 their prescriptions. Nor was this opportunity given them but by their own contrivance, and
 the furtherance of their party; but now being come up, it was very requisite for them
 to purge away all such whom they found so opposite to their Anarchical designs, but
 first it was fitting that an Ordinance should be passed to make null and void all
 Acts passed by those Members who continued in the exercise of their Trust at
Westminster, whom the Army would needs have to be a forced Parliament, and
 therefore it was in the House proposed by some of their party, Whether it should be put
 to the Question, whether that sitting from the 26th. of *July* to the 6th. of *August*, was
 a forced

of Great Britain and Ireland.

215

1647.

a forced or free Parliament? That this question should be put, was carried in the House by two voices, but that it was a forced Parliament, was carried in the Negative by more; though the Army had remonstrated, That not any of those Members which did sit in the absence of their Speaker, should presume to continue in the House, till satisfaction might be given of their intention to raise a new War, and embroyl the Kingdom, by contriving the Kings coming to the City, and be brought to condigne punishment, by the Judgement of a free Parliament: Those who the Army in their Remonstrance chiefly aimed at, were those XI. Members before impeached, who formerly had had liberty from both Houses to travel at pleasure, but now upon the running away of the two Speakers to the Army, had liberty to return, to sit and vote in the House; but now the Army had so violently broken in upon all Priviledges of Parliament, they thought it the most secure course to provide for their own safeties, and therefore V. of them, viz. *Hollis*, *Stapleton*, *Lewis*, *Clotworthy*, and *Long*, were transporting themselves beyond Sea, but by a vessel manned by Major *Redmans* command, under Captain *Lamming*, they were overtaken within six miles of *Calais*, and forced to surrender, and by the said *Lamming* brought back into the *Dowry*, and delivered to Vice Admiral *Batten*, then residing there who with a check to the Seaman that brought them back, were by him dismissed, and permitted to go over, where being arrived Sir *Philip Stapleton* falling sick in the Town of *Calais* and *London* being then infected with the Plague, the Townsmen fearfull of him, turned both him and the rest out in the way toward *Flushing*, Sir *Philip* dying in a Dutch in the High-way, but the rest getting safe thither; But though these escaped, yet others fell under the Armes Lash, such were Mr. *Glyn* Recorder of *London*, Sir *John Maynard*, and Mr. *Baynton*, Members who were Impeached of High Treason, and Captain *Macquire* was condemned at the *Old-baily* for the Murder and riot in *Guild-hall*, but he having some great friends among the prevailing party, on the very day on which he should have been executed, was reprieved, and after pardoned; Nor were the Lords lesse willing then the Commons in impeaching several of their Members, as the Earls of *suffolk*, *Lincoln*, and *Middlesex*, the Lords *Willoughby* of *Perham*, *Hunsdon*, *Maynard*, and *Berkley*, for leaving War against the King, Parliament and Kingdom, yet they were never proceeded against, but only endured a nasty imprisonment, to bring them to a compliance, Nor was it thought fit that the Citizens should escape, and therefore their Lord Mayor, Sir *John Gayer*, Alderman *Culham*, *Bruce*, *Langham* and *Adams* committed to the Tower, Captain *Musgrave* and about fifteen Citizens, and one Mr. *Melton* a Minister, indicted of high Treason at the Kings-Bench bar, Col. *Laurence* Col. *Hooker*, and captain *Jones*, impeached of High-crimes, nor was this enough, to curb the City, but their Power over the Militia of the our-Hamlets was quite taken away: those for *Westminster*, *Southwark*, and the out Parishes, committed to particular Commissioners, & that of the Hamlets of the Tower, to the care of the Constable Sir *Thomas Fairfax*, and besides all this, all the Forts, Guards and lines of Communication, were ordered to be digged down, that the Army at pleasure might have free passage into the City, which must not onely bear all these Affronts, but likewise pay for them: The Army declaring, that for what time the City default and delays had occasioned the stay of the Army thereabouts, the Charge should bee laid upon them and their Adherents about the City, And to that effect they Command Them to advance to a Monthes Pay to the Army, as a Gratuity, And Fifty Thou.

The Civill Warres

1647.

Thousand Pounds for the Necessity of the Army, that they might not bee inforced to burthen the Countrey with Free-Quarter, And all this to bee paid within two dayes, otherwise they threaten to dispose themselves for the leavying of it; Nor are the Parliament now they are so near them, exempt from their peremptory demands, as first, That a Committee of the Parliament might reside in the Army, to audite their accounts of the Armies Arrears, as well for the pay respited upon the publick Faith, as otherwise for their service under this General, or any other respective Commanders in the Parliaments Service, which is to be made an unquestionable debt; That the Bishops, Deans, Chapters and Forest Lands might be sold for the payment of the Armies Arrears; That an Ordinance be passed that no person that was or should be in the Army, should be impressed upon Foreign Service, nor any Horse-man be ever forced to serve on Foot in any future case; That an Act should be passed for the freedome of Apprentices that had served the Parliament, and provision for the maimed Souldiers, Widows and Orphans, and that an Act of Indemnity for the Souldiers, for any Action, Petition or Papers, agreed on at *Walden* in *March* last, or any thing else in relation to the Army. These desires of theirs the Parliament were not only forced to condescend to, but likewise to give the 30000 l. as a gratuity, and a months pay out of their own Treasuries; In the mean time the propositions for peace were concluded on by both Houses, and ratified by the Assembly of *Scotland*, being the same in effect (though there were some alterations) with those sent by the Parliament to him at *Newcastle*, these now were by the Earl of *Pembroke*, the Lord *Montague*, Sir *James Harrington*, Sir *John Cook*, Sir *John Holland*, Major General *Brown*, Commissioners for the Parliament; and the Earl of *Lauderdale*, and Sir *John Erskin* for *Scotland*, presented to his Majesty at *Hampton-Court*. whither the Army, now keeping their Head-Quarters at *Putney*, had brought the King, and where he was attended with some respect to his State: The King upon the receiving them, told the Commissioners, That though the Propositions were long, and had been longer debating, yet they should have a speedy Answer, and accordingly the next day he delivered them this in writing, (*viz.*)

C. R.

"HIS Majesty cannot but be passionately sensible (as he believes all his good Subjects are) of the late great distractions, and still languishing and unsettled State of the Kingdom, and he calls God to witness, and is willing to give testimonies to all the world of his readinesse to contribute his utmost endeavours, for the restoring of it to a happy and flourishing condition; His Majesty having perused the Propositions now brought to him, finds them the same in effect which were offered him at *Newcastle*. To some of which, as he could not consent without violation of his Conscience and Honour, so neither can he agree to others now concerning them, in many respects, more disagreeable to the present condition of affairs, then when they were formerly presented unto him, as being destructive to the many principal Interests of the Army, and of all those whose affections concur with them. And his Majesty having seen the proposals of the Army, to the Commissioners from his two Houses, residing with them, and with them to be treated on, in order to the clearing and security of the Rights and Liberties of the Kingdom, and the settling of a just and lasting peace. To which proposals, as he conceives his two Houses not to be strangers, so he believes that they will

"will think with him, that they much more conduce to the satisfaction of all Interests,
 "and may be a fitter foundation for a lasting peace, than the Propositions which at this
 "time are tendered unto him; He therefore propounds, (as the best way in his judg-
 "ment, in order to a peace) That his two Houses would instantly take into considera-
 "tion those proposals, upon which there may be a personal Treaty with his Majesty, and
 "and upon such other Propositions as his Majesty shall make, hoping that the said Pro-
 "posals may be so moderated in the said Treaty, as to render them more capable of his
 "Majesties full Concession: Wherein he resolves to give full satisfaction to his people,
 "for whatsoever shall concern the protestant profession, with liberty to tender Conci-
 "ences, the securing of the Laws, Liberties, and Properties of his Subjects, and all
 "the just privileges of Parliament for the future; and likewise by his present deport-
 "ment in this Treaty, he will make the world clearly judge of his intentions in matters
 "of future Government. In which Treaty his Majesty will be pleased (if it be thought
 "fit) that Commissioners from the Army (whole the Proposals are) may likewise be ad-
 "mitted. His Majesty therefore conjures his two Houses of Parliament by the Duty
 "they owe to God, and his Majesty their King, and by the bowels of compassion they
 "have to their Fellow-Subjects, both for relief of their present Sufferings, and to pre-
 "vent future miseries, that they will forthwith accept of this his Majesties offer, where-
 "by the joyful news of peace may be restored to this distressed Kingdom. And for
 "what concerns the Kingdom of Scotland mentioned in the Propositions, his Majesty
 "will very willingly treat upon those particulars with the Scottish Commissioners, and
 "doubts not but to give reasonable satisfaction to that his Kingdom.

Hampton Court, the 9th. of September, 1647.

This Answer of the Kings favouring too much in the Parliaments sense of the Ar-
 mies interest, they voted a flat denial of their Propositions, and resolved, to fall upon
 the settlement of the Kingdom by establishing such additional Laws as might make for
 the present and future good of the Kingdom, and turning the Propositions into Bills &
 Acts; but the next, recalling that Resolution, they voted, To apply themselves once
 more to his Majesty for his assent to such things in the Propositions as would most make
 for the good of the Kingdom, which were concerning the Militia, Great Seal, Honours
 and Titles, taking away of Bishops, &c. Declarations and propositions against the Par-
 liament, and raising monies for paying the publick debts of the Kings: but whilst ma-
 ny delays and demurs were made in these proceedings, rose up a new kind of thing, cal-
 led Agitators for the Army, who were some Souldiers elected out of each Regiment of
 Horse and Foot, to meet and consult by that name, and who in their Councils under-
 took to understand and regulate the chief Affairs of State and Army, representing the
 Grievances of both, and proposing strange methods for elections of Representatives to
 sit in Parliament every year successively; in some, finding fault with every point of that
 Government by which England had for so many years been successively governed; And
 so many Pamphlets did they print of their desires, or rather fancies, that the King, whe-
 ther by design of the Army or no I cannot tell, but so supposed by most, was possessed
 with a fear of some violence to be intended against his person by these Agitators. & there-
 fore perswaded to endeavour an escape to the Isle of Jersey; so the business was contri-
 ved by Mr. John Ashburnham, Sir John Berkeley, and Colonel William Leg, who had
 provided

1647.

provided a Ship at *Southampton*, and got Horses ready at *Hampton-Ferry* on the other side the water for the Kings escape on *Fryday* night the 11th of *November*, when, about the same day (which gives a suspicion, that the Army had a design in his Majesties escape) Colonel *Whaley*, who had the Guard of the King brings him a Letter, put into his hand by an unknown person, giving a blind account of the intentions of the Agitators (encouraged therein by *Dell* and *Peters* their Preachers) to take away his Majesties life for the good of the Kingdom, &c. But this Letter, as it increased not any belief of their design in his Majesty, so neither did it make him alter his intentions; for the same night *Cromwell* sent Post to the Parliament, That the King being that night expected at Supper, and the Commissioners entering his Chamber with Colonel *Whaley* found his Cloak carelessly cast upon the ground by the way into the Entry-Chamber, that leads to the back stairs down into the Vault by the River side, That the King had left three Letters upon the Table, one of which was to the Parliament, and was thus,

C.R.

“ Liberty being that which in all times hath been, but especially now is the common Theam and desire of all men; common reason shews that Kings less than any should endure captivity. And yet I call God and the world to witness with what patience I have endured a tedious restraint, which so long as I had any hopes that this sort of my sufferings might conduce to the peace of my Kingdom, or the hindering of more effusion of blood I did willingly undergo. But now finding by too certain proofs that this my continued patience would not only turn to my personal ruine, but likewise be of much more prejudice than furtherance to the publick good; I thought I was bound, as well by Nature as Political Obligations to seek my Safety by retiring myself for some time from the publick view both of my friends and Enemies. And I appeal to all indifferent men to judge, if I have not just cause to free my self from the hands of those who change their principles with their conditions, and who are not ashamed openly to intend the destruction of the Nobility, taking away their Negative voice, and with whom the Levellers doctrine is rather countenanced than punished. And as for their intentions upon my person, their changing and putting more strict Guards upon me, with the discharge of most of those Servants of mine who formerly were willingly admitted to wait upon me, do sufficiently declare. Nor would I have this my retirement mis-interpreted: for I shall earnestly and incessantly endeavour the settling of a safe and well-grounded peace where ever I am or shall be; and that (as much as may be) without the effusion of more Christian blood, for which how many times have I desired, prest to be heard, and no ear given to me? And can any reasonable man think, That according to the ordinary course of Affairs, there can be a settled peace without it? Or that God will bless those who refuse to hear their King? surely no. Nay I must further adde, that (besides what concerns my self) unless all other chief interests have not only a hearing, but likewise a just satisfaction given unto them (so wit the Presbyterian, Independents, Army, those that have adhered to me, and even the Scots) I say there cannot (I speak not of Miracles, it being in my opinion a sinful presumption on such cases to expect or trust to them) be a safe or lasting peace. Now as I cannot deny, but that my personal security is the urgent cause of this my retirement, so I take God to witness, that the publick peace is no less be-
fore

of Great Britain and Ireland,

219

1647.

"fore my Eyes, & I cannot find no better way to expresse this my profession (I know not what a wiser may do) than by desiring and urging that all chief interests may be heard, to the end each may have just satisfaction. As for example, the Army (for the rest, though necessary, yet I suppose are not difficult to content) ought (in my judgment) to enjoy the freedom of their Consciences, have an Act of Oblivion or Indempnity (which should extend to all the rest of my Subjects) and that all their Arrears should be duly paid, which I will undertake to do, so I may be heard, and that I be not hindered from such lawfull and honest means as I shall chuse. To conclude, let me be heard with freedom, honour, and safety, and I shall instantly break through this cloud of retirement, and shew my self really to be *Pater Patriæ*.

His Majesties other two Letters left on his Table were to Colonel *Whaley*, and the Lord *Montague*. To the first, That he had been civilly used by him and Major *Huntington*, desiring his protection of his Household-stuff and Moveables which he left behind him, and assuring him, that it was not that Letter which he shewed him that made him take this Resolution. To the second, Returning thanks to him for his and his Fellows (the *Parliaments Commissioners*) Civilities and good Conversation, desiring him to send the former Message to the Parliament, and all his saddle Horses to the Duke of York. Upon news of his escape at London the Parliament sent Posts all wayes imaginable to finde him out, and voted it confiscation of Estate and losse of Life to any one who detained the Kings person in private, and revealed it not to the Parliament: but they might have saved themselves that labour, for by the means of the rainy, dark and cloudy Night (in which he lost himself in *Windsor Forest*) having got somewhat out of reach, and passing through *Farnham* to the Sea side, yet misled of his design of getting to *Fersey*, the Ship failing to be at the place (if any place were really) appointed; whereupon tearing a discovery, by no probable means to be prevented, it was resolved, that the King and Colonel *Legg* should that Night lodge at *Tedworth* at the house of the Countesse Dowager of *Souhampton* near the Sea, and that the other two should Ferry over to the Isle of *Wight*, and seek out Colonel *Hammond* (who as if for the purpose had sometime before been made Governour there) under whose assistance, for his Brothers sake Doctor *Hammond* his Chaplain, the King hoped for some Friendship and Fidelity, this design was accordingly put in execution, the Messenger going with this Item, That unlesse upon his Oath and Faith of Protection, Secrecy and Freedom to the Kings Person at all times, they should not discover any more than signifie in general the Kings escape from the eminent danger of Assassination; that his desire leads him to cast himself upon Colonel *Hammond* for Protection, which if he refused, & should secure their Persons, the King and *Legg* by their not returning at the time prefixed might have opportunity otherwise to dispose themselves: they being dispatched, the King lends *Legg* to the Countesse of *Souhampton*, to tell her, that a person of Quality, her dear Friend, desired the privacy of her House that Night without discovery; which she readily assents to. On the Sunday morning Mr. *Ashburnham* and Sir *John Berkley* got over into the Island, and met with Colonel *Hammond* in his way towards *Newport*, whom they acquaint with the Business: and he tells them, That hee wished the Kings safety as his Soul, Nor should he be inquisitive where hee was, but were he in his custody his Oath and Interest to the Parliament being in Billance, hee be safe from violence. But for the Freedom and Liberty of his Person he could not

The Civill Warres

1647.

answer it to his Superiours. This Answer though not satisfactory, nor according to their Commissions, yet they being loath to be taken into custody came over with *Hammond*, and a Guard to the Countesses House, And *Ashburnham* goes up and tells the King that *Hammond* was below at Supper, and had given assurance of Honour for His Majesties safety, but not of liberty to his Person: which the King hearing, in passion strikes his hand upon his breast and replies, *And is this all, I am betrayed.* *Berkley* and *Ashburnham* sorry for their unadvisednesse would have made some desperate attempt, but the King forbade it, and in this extremity with a seeming willingness went over with *Hammond* to *Carisbrook* Castle who acquaints the Parliament of his being there; whereupon they immediatly voted, that his Majesty should stay in that Castle in the Isle of *Wight* That none that had borne Arms against the Parliament, but Inhabitants that had compounded, should remain in the Island, That no Delinquent nor Foreiner should be admitted to come to the King, without leave of the Parliament of *England* and *Scotland*, and that the propositions should be sent to him on the 27th. of *November*, That five thousand pounds should be advanced for his accommodation, That his Household should be dissolved, and that it should be considered who should attend him: They likewise writ to *Hammond* to send up those persons who had attended the King thither: which *Hammond* Soldier-like refused, and likewise complained, That the accommodations for the King were no wayes suitable to his quality. His Majesty being thus fallen out of one Trap into another sends this Message to the Parliament of his Concessions for peace and the reasons why he could not assent to those propositions sent him to *Hampton Court*

C. R.

His Majesty is confident that before this time, his two Houses of Parliament have received the message which he left behind him at *Hampton Court*, the 11th. of this Month, by which they will have understood the reasons which enforced him to go forthence, as likewise his constant endeavours for the settling of a safe & well-grounded peace, wheresoever he should be; And being now in a place where he conceives himself to bee in much more security and freedom than formerly, he thinks it necessary (not only for the making good of his own professions, but also for the speedy procuring of a peace in these languishing and distressed Kingdoms) at this time to offer such grounds to his two Houses for that effect) which upon due examination of all interests, may best conduce thereunto. And because Religion is the best and chiefest Foundation of peace, his Majesty will begin with that particular; That for the abolishing, Archbishops Bishops &c. His Majesty clearly professeth, that he cannot give his assent thereunto, both in relation as he is a Christian, and a King: For the first, hee avows that he is satisfied in his Judgement, that this Order was placed in the Church by the Apostles themselves, and ever since that time hath continued in all Christian Churches throughout the world, untill this last century of years, and in this Church in all times of change and Reformation it hath been upheld by the Wisdom of his Ancestors, as the great Preserver of Doctrine, Discipline and Order in the service of God. As a King, at his Coronation he hath not only taken a solemn oath to maintain this Order; but his Majesty, & his Predecessors in their confirmation of the Great Charter, have inseparably woven the Right of the Church to the Liberties of the rest of the Subjects. And yet hee is willing it be provided, that the particular Bishops perform the several duties of their Diocesses;

of Great Britain and Ireland.

221

4647.

as also, that they exercise no Act of Jurisdiction or Ordination, without the consent of their Presbytery: And wil confer that their powers in all things be so limited, that they be not grievous to tender Consciences; Wherefore since his Majesty is willing to give ease to the Consciences of others, he sees no reason why he alone, and those of his judgement should be pressed to a violation of theirs. Nor can his Majestie consent to the Alienation of Church-lands, because it cannot be denied to be a sin of the highest Sacrilege, and also that it subverts the intention of so many pious Donors, who have laid a heavy curse upon all such prophane violations, which his Majesty is very unwilling to undergo. And besides the matter of Conscience, his Majesty believes it to be a prejudice to the publick good, many of his Subjects having the benefit of renewing Leases at much easier rates than if those possessions should be in the possession of private men, not omitting the discouragement which it will be to all Learning and Indutry, when such eminent rewards shall be taken away. which now ly open to the children of the meanest persons. Yet his Majesty considering the great present distempers concerning Church-Discipline, and that the Presbyterian Government is now in practice, his Majesty to eschew confusion, as much as may be, and for the satisfaction of the two Houses, is content, that the said Government be legally permitted to stand in the same condition it is in for three Years, provided that his Majestie and those of his judgement (or any other who cannot in Conscience submit thereunto) be not obliged to comply with the Presbyteriall Government, but have free practice of their own profession, without receiving any prejudice thereby, And that a free Consultation and Debate bee had with the Divines at *Westminster* (twenty of his Majesties nomination being added thereunto) whereby it may be determined by his Majesty and the two Houses, how the Church-Government after the said time shal be settled (or sooner if Differences may be agreed) as is most agreeable to the Word of God, with full liberty to all thole who shall differ upon Consciencious grounds from that Settlement; Alwaies provided, that nothing aforesaid bee understood to tolerate those of the Popish profession, nor exempting of any Popish Reculants from the penalties of the Laws, or to tolerate the publique profession of Atheisme or Blasphemy, contrary to the Doctrine of the Apostles, *Nicens* and *Athanasian* Creeds, they having been received by, and had in reverence of all Christian Churches, and more particularly by this of *England*, ever since the Reformation. Next, the Militia being the Right which is inseparably and undoubtedly inherent to the Crown by the Laws of this Nation, and that which former Parliaments, as likewise this hath acknowledged to be; his Majesty cannot so much wrong that Trust which the Laws of God and this Land have annexed to the Crown, for the protection and security of his People, as to divest Himself and Successors of the Power of the Sword; yet to give an infallible evidence of his desire to secure the performance of such Agreements as shal bee made in Order to a Peace, his Majesty will consent to an Act of Parliament, that the whole power of the Militia both by Sea and Land for and during his whole Reign, shall be ordered and disposed by his two Houses of Parliament, or by such Persons as they shal appoint with powers limited for suppressing of Forces within this Kingdom, to the disturbance of the publick peace, and against forein Invasions; And that they shal have power during his said Reign to raise moneys for the purposes aforesaid; And that neither his Majesty that now is, or any other (by any Authority derived only from him) shall execute any of the said powers during his Majesties said Reign, but such as shall act by the

con-

consent and approbations of the two Houses of Parliament. Nevertheless his Majesty intends, that all Parents Commissions, and other Acts concerning the Militia be made and acted as formerly, and that after his Majesties Reign all the Power of the Militia shal return intirely to the Crown, as it was in the time of *Queen Elizabeth*, and King *James* of blessed Memory. After this head of the Militia the consideration of the Arrears due to the Army is not improper to follow; for payment whereof, and the ease of his People, his Majesty is willing to concur in any thing that can be done without the violation of his Conscience and Honour; Wherefore if his two houses shall consent to remit unto him such benefit out of Sequestrations from *Michelmasse* last, and out of Compositions that shal be made before the concluding of the peace, and the Arrears of such as have been already made, the assurance of the Clergy, and the Arrears of such Rents of his own Revenue as his two Houses shal not have received before the concluding of the peace, his Majesty will undertake within the space of 18. months the payment of 400000. pounds for satisfaction of the Army. And if those means shal not bee sufficient, His Majesty intends to give way to the sale of Forrest-lands to that purpose, this being the Publique debt, which, in his Majesties Judgement, is first to be satisfied, and for other publique debts already contracted upon Church-lands or other Engagements, his Majesty will give his consent to such Act or Acts as both Houses shal hereafter agree upon, so as they be equally laid, whereby his people (already too heavily burthened by these late distempers) may have no more pressares upon them than this absolute Necessity requires. And for the further securing of all fears, his Majesty will consent, That an Act of Parliament be passed for disposing the great Offices of State, and naming of Privy Counsellours for the whole time of his Reign by the two Houses of Parliament; their Parents and Commissions being taken from his Majesty, and after return to the Crown as is expressed in the Articles of the Militia. For the Courts of Wards and Liveries his Majesty very well knows the consequence of taking that away, by returning of all Tenures into Common Soccage, as well in point of Revenue to the Crown, as in the prefection of many of his Subjects being Infants. Nevertheless if the continuance thereof seem grievous to his Subjects, rather then he will fail on his part in giving satisfaction; He will consent to an Act for taking it away, so as a full recompence be letted upon his Majesty and his Successors in perpetuity, and that the Arrears now due be reserved unto him towards the payment of the Arrears of the Army. And that the memory of these late Distractions may be wholly wiped away, his Majesty will consent to an Act for suppressing and making null of all Oaths, Declarations and Proclamations against both or either House of Parliament, and of all Indictments and proceedings against persons for adhering to them. And his Majesty proposeth (as the best expedient to take away all seeds of future differences) that there be an Act of Oblivion to extend to all his Subjects. As for *Ireland*, the Cession there is long since determined, but for the future (all other things being fully agreed) his Majesty will give satisfaction to his two Houses of Parliament concerning that Kingdom. And although his Majesty cannot consent in honour And justice to avoid all his own Grants and Acts passed since the two and twentieth of *May 1642.* or to the confirming of all the Acts and Grants passed under that made by the two Houses. Yet his Majesty is confident that upon persual of particulars he shall give full satisfaction to his two Houses to what may reasonably be desired in that particular. And now his Majesty conceives that by these his Offers (which he is ready to make good upon the settlement of a peace) he hath clearly manifested his Intentions

to give full security and satisfaction to all interests for what can justly be desired, in order to the future happiness of his people, and for the perfecting of these Concessions, as also for such other things as may be proposed by the two Houses, and for just and reasonable demands as his Majesty shall find necessary to propose on his part; he earnestly desires a personal Treaty at London with his two Houses in Honour, freedom and safety, it being in his judgement the most proper, and indeed only means to a firm and sealed peace, and impossible without it to reconcile former, or avoid future understandings. All these things being by Treaty perfected, his Majesty believes the Houses will think it reasonable, That the Proposals of the Army concerning Successions of Parliaments and their Elections should be taken into consideration. And for what concerns his Kingdome of Scotland, his Majesty will readily apply himself to give all reasonable satisfaction when the desire of the two Houses of Parliament on their behalf, or of the Commissioners of that Kingdom, or of both joyned together, shall be made known unto him.

Isle of Wight. 17. November 1647.

To these so gracious Concessions of the Kings the two Houses returned no Answer, till again earnestly pressed by his Majesties message of the sixth of December. They resolved to send him four (as one called them) Unthroning Bills, to which if he assented it would draw on a Treaty of the other particular Propositions, concerning which they were then completing; but upon further consideration it was thought fit that the King should a little more exercise his patience, till such time as the Bills and Propositions could be sent together, which were soon after carried by the Scottish Commissioners, who presented the King the day after the Propositions had been delivered to him, with a Paper of dissent from them, declaring, That the new Propositions & Bills presented to his Majesty were so prejudicial to Religion, the Crown, and the Union and Interest of the Kingdoms, & so far different from the former proceedings and Engagements between the Kingdoms, That they could not concur therein, and therefore did in the name of the whole Kingdom of Scotland dissent from them. The Propositions were in effect the same as had been so often sent; but the four Bills were such things as no reasonable man would have imagined could have been sent; as first, That it should be lawful for Parliaments for the future to order the Militia without the Kings consent, and to raise what Arms they pleased, and that all others under pain of Treason should be prohibited to assemble above the number of Thirty persons, without Authority of Parliament; That it should be lawful for the Houses to sit and to adjourn their sitting to what place they pleased, and to assemble at what time soever at their own discretion; That all the Oaths, Interdictions and Declarations sent forth in publick against either Houses should be accounted and declared void; That whomsoever of the Nobility the King had dignified with Titles since the time of his, and the carrying away of the Great Seal should be degraded of their Honours; These the King thought most unreasonable to be granted before a Treaty, yet to shew his willingness to give satisfaction to his two Houses, he delivers a Letter sealed up to the Commissioners, shewing his reasons why he refused them; but upon the delivery of it the Earl of Denbigh chief Commissioner desired his Majesty that thought they were only intrusted to bring the Parliaments Demands in writing, and not to treat, yet that he would distinguish them from ordinary Commissioners, and suffer them to see what was written; Whereupon his Majesty commands Mr. Ashburnham to read his Message, which was thus, C. R.

1647.

C. R.

THe necessity of complying with all engaged Interests in these great Distempers for a perfect settlement of peace, His Majesty finds to be none of the least difficulties he hath met with since the time of his Afflictions. Which is too visible, when at the same time that the two Houses of the *English* Parliament do present to his Majesty several Bills and Propositions for his consent; the Commissioners for *Scotland* do openly protest against them. So that there were nothing in the Case but consideration of that Difference, his Majesty cannot imagine how to give such an Answer to what is now proposed, as thereby to promise himself his great end, a *Perfect Peace*. And when His Majesty further considers how impossible it is (in the condition he now stands) to fulfill the desires of the two Houses, since only the ancient and known wayes of passing Laws are either by his Majesties personal assent in the House, or by Commission under the Great Seal of *England*, He cannot but wonder at such failings in the manner of Addressing which is now made unto him, unlesse his two Houses do intend that his Majesty shall allow of a Great Seal made without his Authority, before there be any consecration had thereupon in a Treaty; which, as it may hereafter hazard the security it self, so for the present it seems very unreasonable to his Majesty. And though his Majesty is willing to believe that the intentions of very many in both Houses in sending those Bills before a Treaty, was only to obtain a Truist from him, and not to take any advantage by passing them, to force other things from him, which are either against his Conscience or Honour; Yet his Majesty believes it clear to all understandings, that these Bills constrained (as they are now presented) not only the divesting himself of all Sovereignty, & that without possibility of recovering it either to him or his Successors, (except by repeal of those Bills) but also the making of his Concessions guilty of the greatest pressures that can be made upon the Subjects; as in other particulars, so by giving an arbitrary and unlimited power to the two Houses for ever, to raise and Leavy Forces for Land and Sea-service, of what Persons (without distinction or quality) and to what Numbers they please. And likewise for the payment of them to levy what Money in such sort, and by such wayes and means (and consequently upon the Estates of whatsoever Persons) they shall think fit and appoint, which is utterly inconsistent with the liberty and property of the Subject, and his Majesties Trust in protecting them. So that if the major part of both Houses shall think it necessary to put the rest of the Propositions into Bills, His Majesty leaves all the world to judge how unsafe it would be for him to consent thereunto. And if not, what a strange condition (after the passing of these four Bills) his Majesty and all his Subjects would be cast into. And here his Majesty thinks it not unfit to wish his two Houses to consider well the manner of their proceeding: That when his Majesty desires a personal Treaty with them for the settling of peace, They in Answer propose the very subject matter of the most essential part thereof to be first granted. A thing which will hardly be credible to Posterity; Wherefore his Majesty declares, That neither the desire of being freed from this tedious and irksome condition of life his Majesty hath so long suffered, nor the apprehension of what may befall him, in case his two Houses shall not attend him a Personal Treaty, shall make him change his Resolution of not consenting to any Act till the whole peace be concluded. Yet then he intends not only to give just and reasonable satisfaction in the particulars preferred to him, but also to make good all other Concessions mentioned in the message

of

of Great Britain and Ireland,

225

1647.

of the 16th of November last, which he thought would have produced better effects than the Bills and propositions now presented unto him. And yet his Majesty cannot give over, but now again earnestly presse for a personal Treaty (so passionately is he affected with the advantages which peace will bring to his Majesty and all his Subjects,) of which he will not at all despair (there being no other visible way to obtain to a certain and well-grounded peace.) However his Majesty is very much at ease within himself for having fulfilled the Offices both of a Christian and of a King, and will patiently wait the good pleasure of Almighty God to incline the hearts of his two Houses to consider their King, and to compassionate their Fellow-Subjects miseries,

Carisbrook-Castle. Decemb. 29. 1647.

This Message read, it was delivered to the Commissioners, who had scarce taken their leaves and gone towards *Newport*, but Colonel *Hammond* turns all the Kings servants and Attendants out of the Castle, the suddenness of which action so amazed the King, that he demanded of *Hammond* whether it were suitable to his Engagement, and for a man of Honour or honesty to deal so with them, who had cast themselves so freely upon him? and whether the Commissioners were acquainted with it? To which *Hammond* answered, That they were not, but that he had the Parliaments Authority to do it; And that he plainly saw by his Answer to the Propositions, that he acted by other Councils than stood for the good of the Kingdom. Do you infer that (says the King) from my Answer, and therewith commanded *Asburnham* to read it; which being done, *Hammond* replied to all, That he hoped the Houses good liking of it. To which his Majesty replied, That he durst for once be a Prophet, for if ever the Parliament returned answer to that let him never be believed, but instead of it they would thank the Governor for his severity, and send him a Gratuity; which they indeed soon after did. But in the mean time the people of the Island were so incensed at this usage of the King, that a Mutiny had like to have happened, one Captain *Bayly* somewhat too hot spirited, beating a Drum in *Newport*, and crying out, For God, the King, and the People; for which he was afterwards condemned by a special Commission of Oyer and Terminer at *Southampton*, and executed. But this Mutiny was made by the Parliament, a dangerous design to surprize the Castle, release the King, and other strange impossibilities. However Vice-Admiral *Rainsborough* is sent with a part of the Fleet to guard the Island, and Forces are drawn towards the Garisons next adjacent to it for greater security, and all this to amaze the people. whilst the Parliament upon reading the Kings answer to their Bills and propositions passe these Votes. First, That the Houses for the future shall make no more Addresses to the King, neither by themselves, nor any other persons, without leave first obtained of both Houses, and That no Messenger or Paper should at any time be received from him, and That whosoever should act contrary to these Votes should incur the penalty of High Treason; and to justify these Votes they publish a Declaration improving to the greatest advantage of Scandal whatever errors could be imagined, either in the Kings Conversation or Government: charging him about his Fathers death, the losse of *Rochel*, The Massacre and Rebellion in *Ireland*; and concludes. That he had not only forgot his Duty to the Kingdom, but care and respect to Himself and Family, and that they could multiply Reasons, will make no more Addresses and yet would use their utmost endeavours to settle the present Government, as might

Ff

belt

The Civill Warres

best stand with the peace and happinesse of the Kingdom. Yet this Declaration nothing satisfied the people, who thought they knew their jugling, and that these Votes had been passed in a thin and listless Houle, yet stood in a maze what Government would be set up now the King was laid by; but the better to make the businesse relish with the people the Army published their Declaration, wherein they freely and unanimously declare, That they were resolved, through the grace of God, firmly to adhere with and stand by the Parliament in their said Votes, and in what should be further necessary for the protection thereof, and for the settling and securing of the Parliament and Kingdom without the King, and against him, or any other who should partake with him. The King himself being now not permitted to make Addresses to the Parliament, of which, by Law, he is Supream Head, thus complains to the People,

AM I thus laid aside? and must I not speak for my self? No! I will speak, and that to all my people, which I would have rather done by the way of my two Houses of Parliament, but that there is a publique Order neither to make Addresses to, or receive Messages from me) and who but you can be Judge of the Differences betwixt mee and my two Houses? I know none else, For I am sure you it is will enjoy the happinesse, or feel the misery of good or ill Government; and we all pretend who should run fastest to serve you, without having a regard (at least in the first place) to particular Interests. And therefore I desire you to consider the state I am and have been in this long time, and whether my Actions have more tended to the publique or my own particular good, for whosoever will look upon me barely as I am a Man, without that Liberty (which the meanest of my Subjects enjoys) of going whither, and conversing with whom I will: As a Husband and Father, without the comfort of my Wife and Children: Or lastly, as a King, without the least shew of Authority, or Power to protect my distressed Subjects, must conclude me not only void of all natural affection, but also to want common understanding, if I should not most chearfully embrace the readiest way to the settlement of these distracted Kingdoms. As also on the other side do but consider the form and draught of the Bills lately presented unto me, and as they are the Conditions of a Treaty you will conclude, that the same Spirit which hath still been able to frustrate all my sincere and constant Covenants for peace, hath had a powerful influence on his Message; for though I was ready to grant the substance, and comply with what they seem to desire, yet as they had framed it, I could not agree thereunto without deeply wounding my Conscience and Honour, and betraying the trust reposed in me, by abandoning my people to the Arbitrary and unlimited power of the two Houses for ever, for the leavyn and maintaining of Land or Sea-forces, without distinction of Quality, or Limitation of Money-taxes; and if I could have passed them in terms, how unheard of a Condition were it for a Treaty to grant before-hand the most considerable part of the subject matter? How ineffectual were that Debate like to prove, wherein the most potent party had nothing of moment left to ask, and the other nothing more to give? so consequently how hopelesse of mutual compliance? without which a Settlement is impossible. Besides, if after my Concession, the two Houses should insist on those things from which I cannot depart, how desperate would the Condition of these Kingdoms be, when the most proper and approved remedy should become ineffectual? being therefore fully resolved, that I could neither in Conscience, honour or prudence passe those four Bills, I only en-
dea-

deavoured to make the reasons and justice of my denial appear to all the World as they do to me; Intending to give as little dis-satisfaction to the two Houles of Parliament without betraying my own Cause) as the matter would bear. I was desirous to give my Answer of the 28:th of December last to the Commissioners, sealed (as I had done others heretofore, and sometimes at the desires of the Commissioners) chiefly because when my Messages or Answers were publicly known before they were read in the Houses, prejudicial interpretations were forced on them, much differing, and sometimes contrary to my meaning. For example, my Answer from *Hampton Court*, was accused of dividing the two Nations; because I promised to give satisfaction to the Scots in all things concerning that Kingdom. And this last suffers in a contrary sense, by making me intend to interest *Scotland* in the Laws of this Kingdome, (then which nothing was nor is farther from my thoughts) because I took notice of the Scots Commissioners protesting against the Bills and Propositions as contrary to the Interests and Engagements of the two Kingdoms. Indeed if I had not mentioned their dissent, an objection not without some probability might have been made against me, both in respect the Scots are much concerned in the Bill for Militia, and in several other Propositions; and my silence might with some justice have seemed to approve of it. But the Commissioners refusing to receive my Answer sealed, I (upon the engagement of their and the Governours Honour, that no other use should be made or notice taken of it, then as if it had not been seen) read and delivered it to them. Whereupon what hath since passed either by the Governour in discharging most of my servants, redoubling the Guards, and restraining me of my former Liberty, (and all this, as himself confesseth, merely out of his own dislike of my answer, notwithstanding his before said Engagement) or afterwards by the two Houles (as the Governour affirms) in confining me within the Circuit of this Castle. I appeal to God and the world, whether my said Answer deserved the reply of such Proceedings. Besides, the unlawfulness of Subjects to imprison their King. That by the permission of God I am reduced to this sad Condition as I no way repine, so am I not without hope but that the same God will in due time convert these Afflictions in to my advantages. In the mean time I am confident to bear these Crosses with patience and equality of mind: But by what means or occasion I am come to this relate in my Affairs I am utterly to seek, specially when I consider, That I have sacrificed my two Houles of Parliament for the peace of the Kingdom, all, but what is much more dear to me than my Life, my Conscience, and Honour, desiring nothing more than to perform it in the most proper and natural way, a Personal Treaty. But that which makes me most at a loss is, the remembering my signal compliance with the Army and their interest, and what of importance my compliance was to them, and their often repeated Profession and Engagement, for my just Rights in General at *New-Market* and *Saint Albons*, and their particular explanation of those Generals by their voted and re-voted Proposals, which I had reason to understand should be the uttermost Extremity expected from me; and that in some things therein I should be eased (herein appealing to the Consciences of some of the chief Officers in the Army, if what I have said be not punctually true) and how I have failed of their expectations, and my professions to them, I challenge them and the whole World to produce the least colour of Reason. And now I would know what it is that is desired: Is it Peace? I have shewed the way (being both willing and desirous to perform my part in it) which is a just compliance with all chief

The Civill Warres

1647.

rests: Is it plenty and Happinesse? they are the inseparable effects of Peace: Is it security? I, who could with all men would forgive and forget like me, have offered the Militia for my time: Is it Liberty of Conscience? he who wants it is most ready to give: Is it the Right administration of Justice? Officers of Trust are committed to the choice of my two Houses of Parliament, Is it frequent Parliaments? I have legally, fully concurred therewith: Is it the Arrears of the Army? upon Settlement it will certainly be paid with much ease, but before there will be found much difficulty, if not impossibility in it. Thus all the world cannot but see my real and unwearied endeavours for Peace, the which (by the grace of God) I shal never repent me of, nor ever be slackened in, notwithstanding my past, present or future sufferings: But if I may be heard, let every man judge, who it is obstructs the good I would or might do: What is it that men are afraid to hear from me? it cannot be reason, (at least none will declare themselves so unreasonable as to confesse it) and it can lesse be impertinent and unreasonable Discourses; for thereby peradventure I might more justifie this my Restraint, than the Causes themselves can do; so that of all wonders yet this is the greatest to me: But it may be easily gathered how these men intend to govern who have used me thus; and if it be my hard fate to fall together with the liberty of England, I shal not blush for my Self, but much lament the future miseries of my People, the which I pray God to avert what ever becomes of Mee.

Thus being denied Addresses to his Parliament, his Majesty appeals to the People, whilst in the mean time the care of his strict Custody is committed to the Governour, with power of placing and displacing his Servants, so that he had only eight persons to attend, and was confined within the bounds of the Castle, of which hard usage and the strictnesse of his Guards, expostulating with *Hammond*, he once with some Notion told him, That he might yet ere long be beholding to one of his Sons for his life. But how his miseries wrought in the hearts of his people, though it moved not his hard hearted Guardians, will soon appear.

CHAP. LXXX.

Visitation of Oxford University; Insurrection in London; Poyer and Laughorn revolt in Wales, they are rowed and taken Prisoners.

THE Parliament having in their Subjection those two Nurseries of Learning, the Universities of Oxford & Cambridge, thought it a thing very essential to their designs to extirpate out of them all such as favoured Episcopacy, & model the to their own strain of Presbytery, to which effect the Earl of Manchester made Chancellour of Cambridge, had made a visitation there, where he so vigorously executed his Power, that he not only expelled most of the Members out of other Colledges, but thrust both root & branch, young & old out of *Queens Colledge*, leaving it empty, to new Possessors; & the last year the Parliament had appointed some of their own Members, to wit, Sir *Nath. Brent*, Mr. *William Prynn*, with Mr. *Keynolds*, Mr. *Cheynell*, Mr. *Wilkinson*, Mr. *Harris*, Mr. *Palmer*, & others, to enquire, hear, and determine all crimes, offences, &c. in the University of Oxford, but especially to look into the Not taking of the Covenant: These accordingly sent their Summons; but had answer from the Delegates of the University, That they humbly conceived they could not acknowledg any Visitors, but the King, or his immediate Substitute,

Substitute, which they were bound to defend by legal Obligations, by their late protestation, as his Majesties undoubted rights, and also were obliged by diverse Statutes to maintain it; and could not submit otherwise without manifold and multiplied perjuries: And this they hoped to make more evident before their proper and competent Judges, and to answer whatsoever crimes or misdemeanours should be laid to their Charge. But notwithstanding this Protestation, the Visitors proceed to make inquiry of the neglect in taking the Solemn League and Covenant, and Negative Oath; as likewise to look who they were, that opposed their obedience to the Discipline and Directory, or did not promote it in their several places and calling: Upon which, The Masters Scholars, and other Officers and Members of that University; Not to judge (as themselves said) the consciences of others, but to clear themselves before God and the World from all suspicion of Obstinacy, whilst they discharged their own. Presented to consideration the true Reasons of their Judgement, concerning the said Covenant, Oath, and Ordinances, expecting so much Justice, and hoping to much Charity, as either not to be pressed to conform to what was required in any of the premises, further than their present Judgement would warrant them, or not condemned for refusing so to do, without real and clear satisfaction given to their Scruples; which were, first against the Preface of the Solemn League and Covenant; for they could not conceive Entering into such a Covenant to be a lawful, proper and probable means to preserve themselves and their Religion from ruine and destruction; nor could they believe the same to be according to the commendable practice of these Kingdoms, or the example of Gods people in other Nations, when they found not the least footsteps in our Histories of a sworn Covenant ever entered into by the people of this Kingdom, upon any occasion whatsoever, nor could they remember any commendable example of the like done in any other Nation, but were rather told by the Defenders of the Covenant themselves, * *That the world never saw the like before.* Secondly, That they were not satisfied with the Covenant in grosse, how could they submit to the taking of it as it was imposed under a Penalty? repugnant to the nature of a Covenant, which ought to be a voluntary mutual consent of the Contractors, not compelled. *Pactum est duorum pluriumve in idem plautum consensus.* Nor could they take it without betraying the Liberty which they swore with their Lives and Fortunes to preserve, as was expressed in the Petition of Right, and by the Parliaments Declarations acknowledged to be contrary. Nor thirdly, Without acknowledging in the Imposers a greater power than could consist with their former Protestations, nor yet could they in Wisdom or Duty being Subjects enter into a Covenant, wherein he, whose Subjects they were, was any wise concerned, without his consent; It being in his Power, by the Equity of the Law, to make void, and annul the same at his pleasure, and more, the King had by his publique Interdict expressly so bidden the taking of it. Then likewise they except against several Branches in the six Articles, And concerning the Negative Oath they could not take it without forfeiture of that Liberty, Nor take any Oath unless established by Act of Parliament, without abjuring their National Allegiance, violating the Oath of Supremacy and Allegiance, whereby every Subject was bound to assist his Prince and Sovereign at all seasons when need should require, 11 H. 7. 18. and without diminution of his Majesties just power and greatness; As concerning the Discipline and Directory, they were not satisfied how they could submit to Ordinances of Parliament not having the Royal assent, contrary to the Laws of the

*Mr. Nye
Covenant
and Narra-
tive, p. 12.

The Civill Warres

the Laws of the Land, and-allo pretend by Repeal to Abrogate them, A lesser power to Annul the Act of a greater, especially the whole power ordering all matters Ecclesiastical, being by the Laws for ever annexed to the Imperial Crown of this Kingdom. For as for the Discipline and Government alio they could not assent, without the eradication of a Government of Reverend Antiquity in the Church, continued and confirmed by the Laws and Charters of the Kingdom, which the Successive Kings at their Coronations had sworn to preserve. For the Directory, they could not, without regret of Conscience, consent to the taking away of the Book of Common Prayer, which they have subscribed unto, and have used in their Churches, to the comfort of their Souls, and was justly defensible, and maintained by Godly men, and which they should be able to justify against all Papists, and other Oppugners and Depravers thereof: It being established by Act of Parliament, expressly commanded to all Ministers to use the same, and severe Cautions of punishment to the Retulers, &c. Thus having clearly and freely represented their present Judgements concerning the said Covenant, Oath and Ordinances, they only desired (that if any single Scruple or Reason in any of the Premises remained unsatisfied, the whole Conscience would remain unsatisfied) And in that case it could neither be reasonable for those who could not satisfy them, to press them; nor for them that could not be satisfied to submit to the said Covenants, Oaths and Ordinances, for *Quis damnaverit eum qui duabus potentissimis rebus defenditur Jure & Monte*, Quintil. Happy is he that condemneth not himself in that which he alloweth, Rom. 14. 22. These exceptions approved by a General Convocation of the University in June 1647. were presented to consideration; but finding no Reply, the University thought themselves secure, till the twenty seventh of April the Earl of Pembroke (a man of little Learning, and as little Courage, witness his being swiched over the face at Croydon) made their Chancellour by the Parliament, comes to take an other course with them than disputing by Reason: He was at his Entrance entertained with a Speech by Master Maior, a Member of the House of COMMONS, and with another by Master Cheynill, at Saint MARTINS Colledge, where they lay quiet for the first Night, but the next Morning begins with Mistris Fall, the late Deans Wife, placing Doctor Reynolds (that afternoon made so) in the Room, and in the afternoon being Cathedralized in the Convocation, where he delivered over his power to the Vice-chancellor, now made Dr. Reynolds, as likewise were Dr. Callicot, Dr. Chambers, Dr. Harris took that degree in Divinity. Dr. Palmer before Dr. of Physick in Cambridge, was now incorporated. Mr. Wilkinson and Mr. Cheynill were made Bachelors of Divinity, and many others made Masters. The Chancellor next day went to breaking open of doors, and giving possession to the new intended heads; and first the Presidents of Magdalen Colledge, which place was given to Wilkinson; Next he went to All Souls, where the Warden Dr. Shelden refusing to submit, his doors were broken open, himself confined to a Chamber in the Town, and Dr. Palmer put in his place. Thence to Trinity Colledge, where forcing open the doors, Dr. Harris was made Master; The like at St. Johns, where Cheynill was made Master in Dr. Bayley's place, who refused to submit. Wilkins was likewise made Master of Woodham Colledge. In fine, all the Canons of Christchurch were ejected; the impartial Chancellor not so much as sparing Dr. Hamond, though his God-son. And so having finished his business, he returned back to London, where he had the thanks of the Houses for his wonderfull wisdom in re-

estifying

Atifying and reforming the University of Oxford, with a Vote passed in the House, That all such Masters, Fellows, and Officers there as refused to submit to the power, should be expelled the University. Upon which a general purge was given to all Colleges, but more especially to *Christchurch* and *Magdalene* College, in which last they descended as low as the Choristers; Nay to the very Cook; but having finished this purgation, let us return. We left the people murmuring at the Parliaments hard usage of the King, and amazed what Government they should now be subject to, since he was laid by. But the first effects of their discontents appeared in *Wales*: though at first, I suppose, begun by the Chiefs, more out of self-interest, than hearty well-wishing to the King. *Col. Poyer* was the first that began, who being by the General intrusted with the command of *Pembroke* cattle in *Southwales*, refused to surrender at his or the Parliaments appointment, till he had his arrears; and preparing for a siege in defiance of the Parliaments Order, with him likewise *Col. Laughorne* with a party of Revolted Foot (having possessed themselves of *Tenby* Castle, and sent the Parliaments Commissioners prisoners to *Pembroke*) joyns, and *Poyer* grew by degrees to formidable, that *Cromwell* was determined to go with a part of the Army against them, and Vice-admiral *Rainsborough* to block up *Milford Haven* with a part of the Fleet, but whilst these things were determining, a Mutinie happens at *London*, beginning in *Moor-fields* upon Sunday the ninth of *April*, where a great company of Apprentices and others began the Tumult, and setting on a part of the Trained bands drawn out in *Finsbury* to keep the peace, easily over-powered them, and then gathering into Multitudes went in several parties, some to *White-chapel*, where they seized on the Trained Bands Colours; others to *Smithfield*; and a third part towards *Whitehall*: but these were met withall by the Horse-Guard at the *Mews* and easily dispersed. But in the Night the City increasing to a greater Number seize the Keyes of *Ludgate* and *Newgate*, which they shut up, and plant a Drake, forced from the Majors, within *Ludgate*; And in the Morning taking care to provide themselves of Armes and Ammunition break open a Salemans Shop of Ammunition in *Milkstreet*, and from *Ludgate* with their Drake march to *Leaden hall*, and seize the Magazine; but whilst they were thus busie, a party of Horse enter at *Aldersgate*, chargeth them, and soon defeat and disperse them, though with their Drake they hurt one Captain *Merriman* in the shoulder, his Lieutenant in the belly, killed a Woman, and hurt some Souldiers; but the Waterman which discharged it, was immediately killed, the Apprentices separated, and the City by ten a clock in the Morning quieted; which the better to keep in awe for the future, two Regiments of Foot and a Troop of Horse are put into the Tower: the Common-Council very humbly submitting and excusing themselves as not at all guilty of this Disorder, desiring that the chief Actors might be severely punished by Tryal of Oyer and Terminer, promising for themselves and the City never to do the like. However the better to make them as good as their words, as their Fortifications had formerly, so now their very Posts and Chains are pulled down, and they forced to raise a Thousand pounds for a Largeesse to thole two Regiments of Horse which subdued the Apprentices. But in the mean time *Poyer* and *Laughorne* grew formidable in *Wales*, against whom Collonel *Horton* and Collonel *Flemming* were sent with a party of the Parliaments Forces, *Flemming* beeing sent before with three Troops of Horse and Dragoons to gain a Passe from *Poyer*, which was by him wittingly quitted, that hee might the more securely draw *Flemming* into his Ambuscado: Nor could

The Civill Warres

could the Designe suit better with his Desires than it did, for *Flemming* coming unadvisedly on, had his whole Party surprized, and after very little resistance totally routed and pursued to a Church, whither two hundred of them fled for shelter, where by the countries coming in to *Poyer* they were forced to yield but upon mean quarter, *Flemming* himself being slain, some affirm, by his own hand, out of shame of his ill success: but this good fortune of *Poyers* so animated the country thereabouts; that they came flocking in to his assistance, so that his power began to grow fearfull to the Parliament, some of His Party having taken *Chepstow* Castle, who therefore ordered Lieutenant General *Cromwell* with about eight thousand Horse and Foot to reduce him, but the business was done before he came by Colonel *Horton*, who encountering the Cavaliers on the eighth of May, between *St. Agons* and *Peters Town* in two hours time gave them a total rout, wounded *Laughorn* who commanded the Army, (being about eight thousand Horse and Foot) took Major General *stradling*, Colonel *Harries*, Majors *Waggon & Philips*, thirty Captains, about a hundred and fifty inferior Officers, and three thousand Common Souldiers prisoners. Their Field-Army thus defeated, *Laughorn* and *Powel* retreated to the Castles of *Tenby* and *Pembroke*, the first of which was on the last of May surrendered upon mercy to Lievt. General *Cromwell*, and in it Colonel *Riccap Powel*, and Colonel *Richard Dimell*, with severall other Officers and Gentlemen of quality; Nor did *Pembroke* Castle hold out longer than to the thirteenth of July; *Cromwell* having determined at first to have given no conditions, but to have it surrendered upon Mercy: but after, by reason of the Scottish Invasion, he offered Conditions, upon which, though hard enough, it was surrendered on the said thirteenth of July, viz. That the chief Agors *Laughorn*, *Poyer*, *Mathews*, *Bowen*, and *Boyer*, should submit to the Mercy of the Parliament; That the other Commanders, Knights and Gentle-men should depart the Kingdom within six weeks, for two years, the rest have Liberty to return home the sick and wounded to be carefully provided for, and the Townsmen to enjoy their Freedoms and Liberties as before. And *Wales* being thus cleared, *Cromwell* marches to joyn with *Lambert* against the *Scots*, who had now entered *England* under Command of Marquesse *Hamilton* of which more hereafter. But in the mean time, the Prince being aboard the revolted Ships in the *Downes* writes to General *Fairfax* in favour of *Laughorn*, *Poyer*, and others taken Prisoners at Mercy, desiring that they acting under his Highnesse Commission might have terms and ulage as Souldiers of War, otherwise he should be forced in order thereto to proceed against such as the Fortune of Warre should make his prisoners: but *Fairfax* returns Answer, That it was not in his power to do further, the Parliament having ordered their tryall, as to the sad engaging this Nation in a second bloody War, and therefore he could not interpose their Justice, but prayed for a Peace. And so they were likely to suffer under the Parliaments rigour, as they did afterwards, according to their late vote, that whosoever for the future should raise Arms against the Parliament, should be proceeded against as Traytors.

C H A P. LXXXI.

*The Rising of Kent; And the Siege of Colchester; The rising in Surrey,
And the Escape of the Duke of York.*

BUT the forementioned persons in *Wales* were not alone, there were others who as highly resented the hard usage of the King, and the visible slavery which was now bring-

bringing upon the whole Nation, which appeared by the Petitions of several Counties, and particularly by that of the Grand Jury, together with many thousand Knights, Gentlemen and Free-holders of the County of *Essex* presented to the Parliament on the 4th. of *May*, representing, That it was impossible that the sad and dreadful effects of the late War should cease, without the principall Causes were taken away; That his Majesties absence from his Parliament had been pretended the main Cause of increasing Jealousies and Mis-understandings between them; And therefore they conceived that a timely Concession to the King for a personal Treaty might remove all fears, which were yet the only Obstacles of Peace, praying therefore, That the Armies Arrears might be paid, and they disbanded, and that the Parliament would consider that *unum necessarium*, to condescend to the Kings Royal intimations for a Personal Treaty, without which there could be no hope of peace or Quiet to these Nations. This petition of the Loyal persons in the County of *Essex* was seconded with another from *Surrey*, running in somewhat a higher strain, That the King might be restored to his due Honour and Rights, according to the Oaths of Supremacy and Alledgiance, and be established in his Throne according to the Splendor of his Ancestors; That he might come forth with to *Westminster*, there to treat Personally for the composing of Differences; That the Freeborn Subjects might be governed by the known Laws in force; That the War beginning may be prevented; That the Ordinance for preventing Free-quarter may be duly executed, and the Army having their Arrears paid them be speedily disbanded. This Petition being presented, a good number of the Gentry and Freeholders of the County, whilst they were in the Hall expecting an Answer to it; upon debate the Guards there take an occasion to quarrel with some of them, and in fine together by the Ears they went; The *Surrey* men, by reason of the fresh supplies of Horse and Foot from the *Mewes*, being forced to go off with the losse of one or two men, and many more wounded. This violence offered to the *Surrey* Petitioners, was by the rest of the Counties looked upon, as indeed it was, a great breach of the Liberty of the Subject, whole birthright it hath always been to represent their Grievances to the Supreme power by way of Petitions, and therefore the *Kentish* men, who for some time had been getting Subscriptions to a Petition of theirs, irritated by some other affronts, and seeing experimentally how ill successe they were like to have by a fair presentation of it, resolved to carry their Petition in one hand, and their sword in the other. In pursuance of which Resolution, animated by the Noble care and industry of Squire *Hales*, Sir *Thomas Paynton*, Sir *John Maney*, Sir *Gamaliel Dudley*, and many other Gentlemen of Note in the County, they gathered to such a Head, that at a Rendezvous at *Rocheſter* they mustered seven thousand Infantry, and though their Horse amounted not to above eight hundred in all, yet they were most of them Gentlemen, and persons who only adventured their lives with Resolution to get an immortal Honour by sacrificing their lives for their King and Country service. This rising so near the Parliament and City somewhat affrighted them, and therefore Sir *Thomas Fairfax* is sent down with the whole Body of his Army, consisting of Six thousand Foot, and two thousand Horses, well mounted and Armed to oppose them; with these he rendezvoused upon *Blackheath*, where he received a Message from the Gentry, signed by Sir *Thomas Paynton* and Esquire *Hales*, with an offer to send Commissioners to parly, I suppose only to sound the Generals intentions, which they found by his answer thus, That he had received a Message from them for a Paſſe for some Gen-

The Civill Warres

men as Commissioners to come & treat according to an Order of Parliament: That he knew not of any such Order, nor any Authority in them to appoint Commissioners for such a purpose: That finding them in Arms against the Parliament hee could not admit of any Treaty, but if they would forthwith lay down their Arms and retire home, he doubted not of the Parliaments mercy to such as had been deluded into this Rebellion, and their exemplary justice against the Chief Actors. This was indeed the best answer that could be expected from an insolent Enemy, they therefore drawing off their Forces from *Darford* leave a Guard at *Stone-bridge*, a *Pass* near *Gravesend*, to hinder the Enemies following them to close, yet thought fit to return the Parliaments General an Answer to this effect, that the Laws of Nature were univerſal and perpetuall, amongst which that of Self-preservation was one, That hee had declared as much, so might judge if it were not, That they had taken up Arms to defend themselves, and providence had bleſt them with a power to do it, which they could not relinquish but with the forfeiture of their Reason and Honour, That they invaded not the Right of others, but stood firm to secure their own, and so to do was neither Treason nor Rebellion, That he was pleased to hold forth Conditions of uncertain Mercy to the people, and exemplary and positive prosecution upon the Principals. To which he assured him that it was but one Soul that informed that great Body, and they were determined to stand or fall together, being rendered incapable of any Fear save only of relapsing into their former Slavery. That they needed no other Arguments (than what the fair manage of the business afforded) to testify their love to peace, if he himself should stand so inclined also. That he would be pleased to make this Country rather a Friend than an enemy &c. This answer brings *Fairfax* onwards from *Blakheath* towards *Gravesend*, where overpowering that small Party left at *Stone-bridge* gained the *Pass* & from thence after some halts made, observes the motion of the *Kentish* Army, finding no resistance, marches forwards to *Rocheſter*, where he finds the Bridge quitted, and so passing over, advances towards *Maidstone*, the Earl of *Norwich* having in the mean time at a General Rendezvous on *Barham* down, within three mile of *Maidstone* been proclaimed General in the Head of the *Kentish* Army, had not only ordered their Quarters by advice of the Council of War so as might have made them in a readier posture upon all advantages to have opposed the Enemy, but indeed had given it as his clear advice, that the weather being fair they might quarter in the Fields, and so the whole Army be kept united, but neither did they stay in the Field nor went to the Quarters appointed, but so dispersed themselves, that it was impossible for the General to draw them together time enough to relieve *Maidstone*, (there being only in it about eight hundred Foot, part of Sir *John Manys*, and Sir *William Brockmans* Regiments) was fallen upon unexpectedly by a strong party of *Fairfaxes*, who having likewise gained the passes at *Fairley*, attacked them with his whole body, yet notwithstanding both the suddaineſſe of the encounter, which scarce gave those in the Town leave to take the Alarm, and the greatneſſe in number, he found not such tame resistance as it is presumed he expected to have found done unexperienced Countrymen, whom he expected should rather have thrown down their Armes, and cryed for Quarter, than have made so Noble and Gallant a Resistance, as not only kept and maintained their own flight and bare Fortifications, but likewise twice Repulsed their Enemy, who yet led on the third time by *Fairfax* himself (dildaining to be beaten by such raw unexperienced men) they overpow-

ring them with fresh volleys of shot, forced them from the Hedges, though they still from place to place disputed their loss of ground, the Enemy's Horse at all advantages breaking in upon them, and doing what execution they could, but not being able to force them to quit one foot of ground dishonourably, but though still pressed on by the Enemies fresh Reserves, they forced them to often Retreats, till at length forced to the Church-yard by inches, they being there encompassed on all sides, were forced at length now to capitulate, none coming to their assistance, except a few Stragglers, who hearing of the encounter, had, without Order, run to their destruction; the Fight continued till twelve a clock at Night; the old Souldiers confessing, that they had never before seen such sharp Service, for they had little cause to brag of their Victory; There were some, who elcaping through the River got to their own Party; but more were left prisoners to the Enemy. Some have laid the blame of not relieving those in *Maidstone* upon the General *Goring*, whose Honour they endeavoured all they could to blemish, but if we may credit many Persons of Quality, Actors in that very Scene, they had no reason to detract from his true Worth, and Honour, who used all his utmost endeavours to have relieved them; but he, though nominated General, had his power of so short a date, that he was not indeed a General *de facto*, or had any thing more but the Name, there being indeed a great many Generals, whose confused and different Councils, must needs breed Delays, besides the General all that Night did his endeavours to draw Parties to a Rendezvous from their Quarters to their assistance, and to that purpose had ordered a General Rendezvous in *Finsburyfields*, on the other side of *Medway*, near *Strode*: but it was the next morning ere he could get them together, when a Council of War being called in the Field, upon respect that it was then possible to relieve *Maidstone*, it was resolved and desired by the General to march entire thither, and if it were possible to relieve them or fight the whole Body of the Enemy. But they had scarce marched two miles, when certain intelligence came of their being all cut off, or taken prisoners the night before; whereupon marching back again through *Rocheester*, and drawing them to a Rendezvous in the same place he had before, where by general consent of the Gentlemen & Officers, it was concluded to march directly on towards *London*, and leave the Enemy Ranging up and down the countrey, now made the absolute Seat of the Wars; being come to *Dartford*, the Lord *Goring* sends a Letter to the Lord Maior and Common-Council of *London*, giving them notice of his march that way, and desiring their assistance and help for the general Good of the enslaved and oppressed Nation. But they without opening the Letter sent it to the Parliament, who returned them thanks for it; However the General advanced towards *London* as far as *Black-Heath*, where he for it received advice of the ill successe of his Letter, but still out of hopes he had of Recruits from *Surrey*, *Essex* and *London*, he had his Army into *Greenwich* Park, whither a Gentleman from *Southwark* came to Quarter-Master General *Carter*, assuring him, that if they would lend a considerable party thither, the whole Borough would be ready to joyn with them; this he acquainted the Lord General with, who returned this Answer to the Gentleman, That in regard he was a stranger, and not known, he must not expect that a party should be adventured upon his bare assertion, but if he would return to those Gentlemen of the Borough that he said had imployed him; and that if any of the principal men would engage to what they had promised, then they should have what party they should desire. This Answer he carried, but never returned

1648.

again. In the mean time came a Gentleman out of *Essex*, assuring the General that that County was up in Armes to joyn with them (contrary to the advice they had first received at their encamping in *Greenwich Park*) that there were two thousand of them about *Bow*, and more about *Chelmsford*. The General therefore to ascertain himself of this Intelligence, (leaving the Army under the Command of Major General *Sir William Compton*) himself alone crosses the Ferry, and privately goes towards *Bow* and *Stratford*, with resolution, if the Countrey were up, according to the report of the Intelligence, to transport the Army over at his return: if otherwise, to steer some other course. But finding no party stirring at *Bow*, according to his advice received, he posts away to *Chelmsford* to assure himself if there were any motion in that County or not; but had he returned without going thither, yet had it been impossible in the Night time to have found so many Boats as would have transported such a Number of men; yet many timorous Spirits in the Army, by reason he returned not, cryed out they were betrayed, and in flocks began to desert their Colours: to augment which distraction, one in the dark night rid amongst the Souldiers in the Park, telling them, that they were in very great danger, and that their Officers wished them to shift for themselves which wrought so much confusion in the Souldiers, that without demanding what he was, they began to do so indeed, though no Enemy were near, many of them procuring Boats, waded over to the Isle of *Degges*, others threatening them for running away, and swearing they would fire at them if they offered to stir off the shore with their Boats; so that in the end it bred so general a confusion in the whole Party, that all but five hundred who got over to the other side were of a suddain dispersed, and the whole businesse lost: nor were those who got over saved from destruction, otherwise than by a Miracle, for being come over, there they found a Regiment of Trained Bands belonging to the Hamlets of the *Tower* drawn up against them, & advantageously possessed of all Passes with strong Guards; so that had not *Sir William Compton*, before he would let any pals amongst them, wisely capitulated with the Officers of that Regiment, that all the Foot should lay down their arms, and all the Horse & Gentry march whither they pleased without molestation; they had been all cut off, for by this means he had the opportunity to draw them up together, whereas otherwise they had run scatteringly among their Enemies. These Articles were yet no sooner made then broken by the Hamletters, who unhorsed and disarmed several Gentlemen as they passed through their guards, which made the *Kenish* men think of somewhat more noble then a lame disbanding, and therefore the Foot lighting their matches, and the Horse drawing their Pistols, they marched in excellent Order through several guards of the Hamletters, as moving towards the place of disbanding, not expecting opposition till they came to the last guard, which they were resolved to have forced through, but they seeing them so well imbodyed, durst not adventure upon them, but let them passe quietly by, and carry their Major and another Officer away prisoners into *Bow*, where the Turnpike was let down to them, and they joyfully received by their Friends into *Essex* where they met their General returning, expecting to have met them in the same posture he left them at *Greenwich*, and much troubled at what had fallen out; but to provide for things as they were, he got some refreshment for these whom he knew had had very little repose for the two precedent nights, and that third day, but whilst they were disposing themselves to receive what provisions & drink were provided for them, they received a very hot Alarm from a party of Col. *Whallies*

Horse,

Horle, (who were coming to have made a prey of them, had they been disbanded by the Hamletters) but now fell on, thinking to have beaten them from their guards, (having lined the Hedges nigh *Mil-end-green* with a party of Dragoons to secure their retreat) but were charged so stoutly by a party of thirty Horle, which sallied out of the Turnpike, that they were forced to a disorderly retreat, which the *Kentish* men, pursuing so eagerly, fell into their Ambulcado, who firing upon them from the Hedges, forced them to the like, though no Enemy pursued: This exploit cost the Cavaliers only the losse of one Gentleman, a *Grecian*, who being shot by the Dragoons fell, Captain *Lynne* was likewise cut in the chin, and over the breast in the Charge. Next to this a Skirmish happened between them and a party of the Hamletters, whom they surrounded, in *Bow Church*, and forced to yeeld upon Composition, and so fled with this good successe, returned into the Turnpike, and having refreshed themselves with three dayes quarters in *Bow*, *Langhton* and *Stratford*, they had Order to march forward to *Chelmsford*, often Alarmed, but never engaged in the Rear by the Enemy, here they joyned with Sir *Charles Lucas*, and the *Essex* men, to whom came the Lord *Capel*, the Lord *Loughborough* out of *Hartfordshire*, and a party of about threecore Horle from London, so that now they march about six thousand, whilst Sir *Thomas Fairfax* having harassed and reduced the rest in *Kent*, crossed over the Army under his command at *Gravesend* and *Greenwich*, followed them so close in the rear in their march towards *Colechester*, that contrary to their intentions, he inclosed them there, his Horle being up with them as soon as they had taken possession of the Town, so that now forced to make a virtue of necessity, they provided themselves of what provisions they could, resolving to hold out a Seige there, till Duke *Hamilton* and Sir *Marmaduke Langdale*, who were with a potent Army in the North, might come to their relief, and so gallantly maintained they the Town, not very well fortified, that in severall Sallies they had still the better of the Enemy, and had once endangered a totall rout of him, had they prosecuted the advantage they once had; but at length their provisions utterly failing, their Ammunition spent, Duke *Hamilton* routed in the North, and so no hope of Succour, and the Townsmen and Souldiers muttering, and almost mutinying within for want of provisions, they having devoured almost all the Horle, Cats and Dogs in the Town, They had taken a Resolution to force their way through the Enemies Leaguer, or die nobly, but some unworthy spirits, having infused a Belief into the Common Souldiers, that this was a design of the Commanders and Gentlemen to escape and leave them in the lurch; the plot failed, and so they were forced on the 28th of *August* after two months siege to surrender upon such conditions as the Enemy would grant them, which were, That the several Regiments should lay down their Arms at their severall Posts, and their remain with their Officers, under Captains, til they should be disposed of; That the Lords with the rest of the Officers and Gentlemen, should by eight of the clock in the morning be at the Kings-head, and their Horses and their Arms without any imberlement in *St. Maries Church-yard*; That all the Ordinance should be left on the Platforms as they were planted, and all the Ammunition of powder, Match, and Ball, left in the Magazine at Town-Hall. These Articles concluded on, the Lord *Fairfax* entred the Town, & having red in triumphs round the works, calls a Council of War, from whence he sends Col. *Ewers* to the Kings-head to the Lords & Gentlemen, who in a slighting kind of posture, tells Sir *Charles Lucas*, that the General would speak with him, Sir *George Lisle*, Sir *Bernard Gascoigne*, and Col. *Farre* at the Council

1648.

cil of War, but the Collonell was not there, the rest went, and dooming to themselves what after happened, took their tolemin leave of the rest of the Lords and Gentlemen; being come to the place where the Council late, they were without being called in to answer for themselves, conveyed to the Castle, whether immediately Col. *Ireton* comes to them, and tells them, that they must prepare themselves to dye, whereupon Sir *Charles* asked him, by what law they were to dye? whether by an Ordinance of Parliament, by the Council of War, or by Command of the General? To which *Ireton* replied, that it was by the vote of the Council of War, according to an order of Parliament, by which which Order all that were found in Arms were to bee proceeded against as Traitors; Sir *Charles* then desired he might be respited till the morning, but it was denied by *Ireton*: whereupon he continued; Sir, do not think I make this request out of any desire I have to live, or escape the death you have doomed me to, for I scorn to ask life at your hands, but that I might have time to make some addresses to God above and settle some things below, that I may not be thrown out of this World with all my sins about me; but since it will not be by your Charity, I must submit to the mercy of God, whole holy will be done, do your worst, I shall soon be ready for Execution. Sir *George Lisle* likewise desired some respite to write to his Father and Mother, but was denied, so having had some private prayers with the Chaplain, and received the Blessed Sacrament, they were led out to the place of Execution, Col. *Ireton*, *Rainborough* and *Whalley*, coming to be spectators of the fall of those two Gallant Knights; the first brought to the stake was Sir *Charles Lucas*, who telling them, that he had often looked death in the face in the Field, and now they should see hee durst die; and so having said some private Prayers, he rose from his knees, and unbuttoning his Doublet, shewing them his breast, setting his hands against his sides, calls out to them, See I am ready for you now, Rebels, do your worst; whereupon they immediately fired, and shooting him in four places, he fell. Sir *George Lisle* who had been carried, a little aside, that hee might not see his friend fall, being now brought to the place first kissing his friend, still reeking in his blood, rose up, and delivering four pieces of Gold to a Gentleman formerly his servant, to be distributed as his last Legacies to some Friends, and giving a shill to the Executioners, turning about to the Spectators, tels them: How many of your lives here have I saved in hot blood, & must now my self be most Barbarously murdered in cold? but what dare they not do who would willingly cut the throat of my dear King, whom they have already imprisoned? and for whose deliverance and peace, to this unfortunate Nation; I dedicate my last prayers to Heaven, and now, Traitors do your worst, upon which words, fire being given, he immediately fell down by his dear Friend. Thus inhumanely were these two Heroick Knights, the patrons of Valour and Loyalty, murdered in an unpresidential way. The rest of the Gentlemen & persons of Quality, the Earl of *Northwich*, The Lord Capel, the Lord *Loughborough*, Sir *William Campion*, Sir *Bernard Gascoigne* (against whom though sentence of Death was passed, yet he was reprieved, not being an English-man) Sir *Abraham Shipman*, Sir *John Watts*, Sir *Lodovick Dyer*, Sir *Henry Appleton*, Sir *Denart Strutt*, Sir *Hugh Bucly*, Sir *Richard Moleverer*, Major General *Gravelston*, Commissary General *Lovelace*, Colonel *Gilburn*, Colonel *Carter*, Colonel *Farr*, Colonel *Till*, Colonel *Hammond*, Colonel *Chester*, Colonel *Heath*, Colonel *Tuke*, Colonel *Tyloff*, and Colonel *Sawyer*, with many other persons of Quality, were most of them conveyed to several Prisons, both

distant

distant from one another, and from the places of their habitations, whereof yet they had the Honour to be sufferers for their Loyalty to their King and Countrey. The inferior Officers and common Souldiers were, for the most part, distributed amongst *Fairfax* his Army, and by them either forced to pay their Ransome, or otherwise sold, and the Town was fined in thirteen thousand pounds. *Fairfax* having performed this service, marched to *Yarmouth*, and up and down the Countrey to settle peace, till in *October* he returned to his Head Quarters at *Saint Albans*. But whilst their busineses were in action, The Earl of *Holland* by Commission from the Prince of *Wales*, having joyned with him the Duke of *Buckingham*, and his valiant Brother the Lord *Francis Villiers*, together with the Earl of *Peterborough*, and others, endeavoured to raise a Party for the King in *Surrey*; and on the second of *July*, a Party of about five hundred Horse appeared upon *Kingston-heath*; and on the sixth of *July* sent their invitation to the Lord Mayor, Aldermen, and common-Council to *London* to joyn with them, but in vain; and the Parliament having sometime before had advice of their intentions, had been providing to oppose them, the Parliament-men themselves having each lifted such a Number of men for their Guard, and sent out others to hinder the increasing of their Numbers, so with a little addition they marched with their whole Force to possess *Rigate*; but Collonel *Rich* and Major *Gibbons* had possessed the Town before them, so in a kind of distraction they marched back towards *Kingston*, pursued so close in the Rear by the Enemy, that many were taken Prisoners, near *Kingston* they drew up and faced the Enemy, disputing by Parties, whilst they sent their Foot before into *Kingston* to secure their Retreat, the Forlorns on both sides disputed it gallantly for some time, till the Cavaliers fled, and were pursued eagerly by their Enemies, till recovering the Turnpike, they stoppt the Carriere of their Enemies; but in their flight the Noble Lord *Francis Villiers*, Brother to the Duke of *Buckingham*, scornng to turn the back, or take Quarter, was slain. The Parliaments forces that Night kept Guard without the Town, till their Foot was come up, when the next morning entering, they found that the Loyal Party had deserted it, and were gone towards *Harrow on the Hill*, whither they were pursued, and in the end so separated, that one quarter remained not together, so several Parties were sent in pursuit of them, the greatest after the Earl of *Holland*, who was fled towards *St. Needs*, where he was surprized by Collonel *Scroop*, some few that were mounted made resistance, whilst the Duke of *Buckingham* escaped into *Lincolnshire* with three-score Horse, and so beyond Sea; the Earl of *Holland* was taken in his Chamber, and sent Prisoner to *Warwick Castle*. Thus had the Parliament all wished-for success, but the greatest defection was that of the Fleet, which lay at *Downes* at the beginning of the *Kentish* Rising, aboard which some of the Gentry of that Countrey sent their Petition, then in Agitation, to be subscribed; to the which the Seamen readily agreed, and refusing to receive *Rainsborough* then sent to be their Vice-Admiral, revolted, and with Captain *Batten*, formerly Vice-Admiral to the Earl of *Warwick*, went to the Prince; whilst these things were in prosecution the Duke of *York*, by the assistance of one Collonel *Bampfild*, escaped out of *Saint James*, and was by him conveyed in Womens apparel to his Sister the Princess Royal in *Holland*, both to whom and to his Brother the Prince he was a very welcome Guest. So that now the Parliament had in their custody only two of the Kings Children, the Duke of *Glocester*, and the Princess *Elizabeth*.

The Civill Warres

CHAP. LXXXII.

The Scottish Invasion under Duke Hammliton; Cromwel enters Scotland.

THE Parliament of Scotland extremely disgusted the English Parliaments harsh proceedings with the King; and therefore they here had some reason to suspect an Invasion from them, it being openly talked in Scotland, That the Scots having delivered up the King to the Parliament and Army of England, upon promise of freedom, honour and safety to his Person, it would eternally be a reproach to their whole Nation, if they should sit still and permit the King to be kept a close Prisoner, and all overtures of peace and agreement with him utterly denied, contrary to the Engagements and Promises made to them at their delivery of him; The Scottish Army was likewise Recruiting, and advice was brought to the Parliament that Sir Lewis Dives, Sir Thomas Glenham, Sir Marmaduke Langdale, and others from the Queen in France, were arrived in Scotland; The Parliament therefore thought it wisdom, if could possibly, to divert, or at least to defer a storm from thence, and therefore they chose the Earls of Nottingham and Stamford, Mr. Ashurst, Col. Birch, Mr. Herle, and Mr. Marshall, to go thither and reside during the Session of the Scottish Parliament, and to carresse them with several Propositions: That it was the desire of the Parliament of England, to maintain a good correspondency between the two Nations; That this Kingdom would take speedy care for the advance of one hundred thousand pounds due to that Kingdom, and that as long as that Sum should remain unsatisfied, they should have Interest at the Rate of 8. l. per Cent. That concerning the Arrears due to the Scottish Army in Ireland, the Parliament of Scotland should either propound a certain Sum in grosse for their Service there, or else appoint Commissioners to repair into Ireland, to audite the accounts of that Army: But notwithstanding these endeavours of the Parliament of England, and the divisions of their own Parliament, (where some would have an Army raised to espouse the Kings quarrell, and restore him; others were willing to have an Army to suppress the Sectaries of both Kingdoms, but were afraid, least thereby they should strengthen the Malignants; a third party there were, who would have no Army at all, nor any endeavours to Restore the King, till he had taken the Covenant, and settled the Presbyterian Government) a Committee was framed, consisting of Duke Hammliton, Argyle, the Earls of Crawford, Lindsey, Lauderdale, Lanark, Calander, Traquair, and Roxburgh, the Lords, Ennerfeichen, Waristoun, Lee, Humberie, Collington, Avenestoun, Gartland, and Ennis, with eight Burgeses, who voted the raising of an Army of forty thousand men, for restoring of the King to his Crown and Dignity, but such divisions and distractions there were in their Councils, that this Vote was no sooner made, but it was protested against by eighteen Lords, and forty Burgeses, who declare themselves free from all the evil that might follow thereupon, to the cause of God, the Covenant, Religion, and to the Kings Person and Authority, and to the Kirk and Kingdoms, or the union of both; but notwithstanding their Protestation, an Army was raised, though the Number never reacht the Vote by near one half, and sent into England under the command of Duke Hammliton, who marched in with it in a more gallant manner and equipage, then the Scottish Armies use to be seen, in thanks to the riches and plunder which the Scots had gained in their former Invasion of England for the Parliament; nor ever indeed for compleatnesse of Horse and Armes, did the Scots send

of Great Britain and Ireland,

241

1648.

send such an Army into *England*; The Duke himself led on the Van, consisting of about two thousand well accoured Horse, the main Body consisting of seven thousand compleat Foot, was commanded by Major General *Middleton*, and the Rear about fifteen hundred, brought up by the Earl of *Calender*, and with these Sir *Marmaduke Langdale* was to joyn, with three thousand *English*, and General *Monroe* with three thousand Scots out of *Ireland*; *Hamilton* being come to *Annan*, salutes Major General *Lambert*, Commander of the Parliaments Forces in the North, with a Letter, intimating, That the Parliament of *Scotland* (upon the eminent danger to Religion, his Majesties sacred person, and the peace of the Kingdom, from the prevailing power of Sectaries in *England*) did send to the Parliament of *England* such demands as they conceived necessary, and having no answer nor satisfaction therein, the danger increasing by Northern forces drawn to the Borders; The Committee of Estates of *Scotland* had commanded him and other noble Personages his assistants, to pursue the ends of their Covenant the 6th. of *January* 1643, and 1644. for settling Religion, Liberating the King from base imprisonment, freeing the Parliament from forces upon them, Disbanding all Armies, freedom from Tax & Quarter, and for procuring a peace and settlement of the Kingdoms, in all which they would faithfully observe, on their part, their Covenant, and Treaties their dear bretheren of *England*, which he hopes *Lambert* would not oppose, but rather aid: To this Letter of his, *Lambert*, two dayes after, returns answer from *Cattle saire*, to this effect, That he should not take upon him to answer his Lordships particulars, leaving the late Ordinances of Parliament, concerning the settling of Religion, their several Addresses and Propositions to his Majesty, in order to all, were lately published, which he doubted not but were well known to his Excellency; That the *English* Northern forces under his Command, had not acted any prejudice to the Kingdom of *Scotland*, but came rather to suppress the late Rebellion of Sir *Marmaduke Langdale* against the Parliament, who did sit and Act without any force upon them; And concludes, That he being intrusted by the Parliament to oppose all power against them, he hoped the Duke would assist him, and address himself in any particular to the Parliament of *England*; *Hamilton* however marching forward, joyns with Sir *Marmaduke Langdale* at *Rosse Castle*, whereupon the Parliament proclaim all those which had invited the Scots or had or should assist them, to be Traytors, and send for their Commissioners to return out of *Scotland*, but the Duke notwithstanding advances to *Penrith*, forces *Lambert* to Retreat to *Appleby* with some losse, and from thence to *Kirby Stephen*, whilst Sir *Philip Musgrave* takes in *Appleby*, which is made the Scots Main Guard, who mastered the Country; *Lambert* not being in a condition to oppose them, till thirty Troops of Horse sent from *Cromwell* were joyned with him, when though he were able to assault the Enemy, yet little of action passed, the Scots being Retreated to *Kendall*, till *Cromwell* came up with his Foot, who hearing that the Scots were advanced to *Lancashire*, with a design to march towards *London*, and that *Monroe* with two thousand Horse and Foot were coming to joyn with him, resolved to engage them before that supply came, on the seventeenth of *August* he marches over *Preston Bridge*, whither the Scots were drawing up from all their Quarters, and with a Forlorn Hope of about six hundred Horse and Foot, engages the Scots Scouts and Out-guards untill the *English* Army came up in a Body and pressed their Adversaries in a Lane, so hard, that after some hours dispute, they forced them from their ground, untill they came to the Town, into which *Cromwell*

H b

wells

The Civill Warres

1648.

Wells men entred, charged them in the Town, cleared the streets, and in conclusion, forced them to run; Duke *Hamilton* in the mean time, and such Foot as were left Retreated over the Bridge, and at the foot of which he was encountered by the *Lancashire* Regiments, where both parties plaid their parts, maintaining the Fight even at pull of Pike till Night parted them, when each party lodged within Musquet-shot of each other, and next morning fell to it again, when the Scottish Horse were forced to flee in disorder towards *Lancaster*, and were pursued near ten miles with execution of above a thousand men; *Hamilton* the next Night with the small Remainder of his scattered Army, drew off to *Wiggon*, and the next Morning their Infantry marched towards *Warrington*, endeavouring to maintain a Passage in the way, but were bear from their stand with the losse of a thousand men, and two thousand prisoners, and prosecuted to the very Bridge of the Town, whence a Trumpeter was sent by Lievr. General *Baily* to *Cromwell*, desiring to capitulate; which was granted, and these terms concluded on, That he should render himself, his Officers and Souldiers Prisoners of War, upon Quarter for life, and deliver up all their Armes, Ammunition, &c. Thus the Infantry totally defeated, *Hamilton* with three thousand Horse flies towards *Nantwich*, five hundred of his Horse being taken in the way by the countrey people; and himself at *Notxeter* surrounded by the Parliaments forces, compelled to surrender, and was sent Prisoner for the present to *Ashby De la Zouch*. *Cromwell* having obtained this successe, yet rests not, both because he knew that *Monroe* was in his march, and also least the scattered forces might Rally and joyn with him; And therefore to ensure his Victory he marches towards him: but *Monroe* at *Morpeth* receives command to return home: which he does, rather, because he was not in a capacity to resist *Cromwell*, than out of obedience to those who commanded him. Yet *Cromwell* advances to the *Tweed*, and sends *Lambert* to summon *Barwick*, which was refused to be surrendered except to *Argyle's* Party, who was up with eight thousand men in *Scotland*, and *Monroe's* Forces being joyned *Lanerk*, made few lesse; these being of two different interests, *Cromwell* resolves to march into *Scotland*, and joyn with one of them, and therefore leaving some part of his Forces to block up *Barwick*, himself advances further into *Scotland*; being met by *Argyle*, *Lowdon*, *Leven*, the Laird of *Cramond*, and Major *Straughan*, who expresse their dislike of *Hamilton's* entring with an Army into *England*, and with *Lanerk's* & *Monroe's* endeavours to raise more Forces to continue their troubles, and therefore they desire the assistance of *England*; to suppress which *Cromwell* readily consents to, resolving to return as soon as the publick Enemy should be subdued, and the English Garisons delivered: but in the end, all parties come to a Treaty, and these Articles were agreed on, 1. That the Armies under *Argyle* and *Lanerk*, with all the Forces under any of the Garisons of *Scotland*, together with *Barwick* and *Carlisle* should be disbanded; That the selling Religion at home, and promoting Reformation abroad should be ordered to the determination of the General Assembly, and all Civil differences referred to a Parliament, speedily to be called, That no party that were in the late Engagements against *England*, should be of the new Parliament, or of the General Assembly. These being performed, and an agreement confirmed with *Cromwell*, by invoking him to Feasts, &c. at *Edinburgh*, on the 20th. of *October* he returned towards *London*, received with Hosannas where ever he came, and in his way taking in the strong Castles of *Scarborough* and *Pontefract*.

Long time had the two Houses of Parliament, according to the Covenant made with the Scottish Nation, been debating about the settlement of a Presbyterian Church-Government in England, and this having been by the Scots declared, the first reason of their taking Arms, and entering into League with the English Parliament, they were both by their Commissioners and many urgent Messages from Scotland, pressed to the performance of so great a work: their Directory and form of worship had long since been concluded on by the Assembly of Divines, and Ratified in Parliament; but as yet no Act or Ordinance of theirs had prescribed the manner of Church-Government, till now in August, which that it may be the better discerned what it was, I have here, though somewhat contracted, inserted their Ordinance it self, as followeth, vizt.

BE it ordered and ordained by the Lords and Commons in Parliament assembled, and by authority of the same, that all Parishes and places whatever within the Kingdome of England and Dominion of Wales (as well privileged Places, and exempt Jurisdictions as others) be brought under the Government of Congregational, Classcal, Provincial and National Assemblies, provided that the Chapels, or Houses, or Places of the King and his Children, and the Chapels, or Places in the Houses of the Peers of this Realm, shall continue free for the exercise of Divine Duties to be performed according to the Directory, and not otherwise, that there be forthwith a choyce made of Elders throughout the Kingdome of England and Dominion of Wales in the respective Churches or Chapels according to such directions as hereafter follow, and all Classes and Parochial Congregations are respectively hereby authorized and required forthwith effectually to proceed therein accordingly.

Directions for the Election of Parochial and Congregational Elders.

1. That notice of the Election of Parochial and Congregational Elders, and of the time when, and shall be given by the Minister in the publick Assembly the next Lords day but one before, and that on the said Lords day a Sermon be preached preparatory to that weighty businesse. **2.** That the Ruling Elders to a Parochial and Congregational Eldership, shall be chosen by the several Ministers and Members of that Congregation respectively, or the major part of them there assembled, being such as have taken the National Covenant, and are not persons under age, nor servants that have no Families. **3.** That such persons shall be chosen for Ruling Elders as are men of a good understanding in matters of Religion, sound in the Faith, prudent, discrete, grave, and of an unblamable conversation, and willing to undergo the said Office. **4.** That no man be chosen for a Ruling Elder, but only for one Congregation, and that in the place where his most settled dwelling and employment doth lye. **5.** That when any Ruling Elder is to be chosen, where an Eldership is constituted, it be done by the Eldership.

1648.

dership, with the consent and approbation of the people of that Congregation. 6. That it shall be lawfull for the Congregation respectively, or any other persons to exhibite Exceptions against any persons elected as aforesaid, touching the right of his election, the qualification of the Person before mentioned, or touching matter of Ignorance or Scandal hereafter mentioned, to such persons as are hereafter appointed to receive the said Exceptions. ----- Concerning the Tryers and Judges of the Integrity and Ability of such as are to be chosen Elders, in the Province of London, and of the Innes of Court, which were deduced into twelve Classes, and severall mentioned for every Classis, which should have power to be Tryers of all such as were to be chosen or elected as Congregational Elders, and it was likewise appointed, 2ly. That all Exceptions objected against any persons elected to be Congregational Elders shall be exhibited to the Tryers above mentioned respectively, within fourteen dayes next after the said election. 3ly. That the said Tryers shall have power to receive, hear and determine all exceptions brought in to them concerning undue elections, and to that end to call before them all such persons so elected, and accepting such election, and to send for such Witnesses as shall be nominated unto them by such persons as shall bring in such exceptions, and shall have power to examine upon Oath both the persons bringing in such exceptions, and the said Witnesses concerning any undue proceedings in the manner of the said election, and concerning all matters of ignorance or scandal objected against the party elected and expressed afterwards, to be a sufficient cause of suspension from the Sacrament of the Lords Supper, and of which any Eldership by an Ordinance of Parliament, hath cognizance and jurisdiction. and that shall be proved to have been committed within one whole year before the exceptions exhibited, and that the persons against whom the exceptions are taken shall have liberty to produce Witnesses to be examined in like manner on their behalf. 4ly. That the Tryers shall have power to examine whether the Elders that are chosen be so qualified as is above expressed. 5ly. That in case the election of any Elder of a Congregation, upon just proof and Examination be found by the Tryers appointed for that purpose, to be unduly made, or the persons to be ignorant or scandalous, or not qualified as aforesaid, then the said Tryers may order such Elder to be removed, and another to be chosen in his place. 6ly. That in no case no just exception as aforesaid shall be proved against any Elder, and that the said Elder shall approve himself as duly qualified for the said Office unto the Tryers, then the Tryer, shall have power to approve the person so elected to be a Congregational Elder in the place where he is so elected; and the person so approved is hereby authorized to act with the Minister, and the rest of the Congregational Eldership in the Government of that Congregation. 7ly. That the said Tryers have power to call before them those persons whose Names shall be returned to them as chosen to be Elders in any Congregation, to know, whether they are willing to accept of the said Office, and to receive further satisfaction from them, concerning their fitness for the said Office. 8ly. That what shall be done by the Major part of the Tryers that be present, not being under the number of seven in each Classis, shall be esteemed as the Act of all Tryers of that Classis. 9ly. That the Committee of Lords and Commons hereafter mentioned, appointed for the judging of Scandal, have power to constitute Tryers within the Province of London, where need shall require: therefore it was ordained, That the severall Parishes of London, were divided into severall Classes, twelve in all as there nominated. 2ly. That all the severall Parishes

of Great Britain and Ireland.

245

1648.

Parishes and places within the Cities of *London* and *Westminster*, and the parts adjacent, according as they are distinguished into twelve several Classes, shall be the extent and bounds of the Province of *London*. 3ly. That the Chapel of the Rolls, the two Sergeants Innes, and the four Innes of Court, shall be under the Presbyterian Government, of those respective Classes within the limits whereof they are situate.

*Concerning the Members of the Classial and Congregational Presbyteries,
in the severall Counties of the Kingdome of England and Do-
minion of Wales.*

First that the Commitees or Commissioners named in the ordinance of 60000 pounds *per manum*, dated the 23. of June 1647. or any three or more of them, of the severall Counties of this Kingdom with the assistance of such Ministers and others as they shall think fit, do forthwith meet and consider how their severall Counties respectively may be most conveniently divided into distinct Classial Presbyteries, where they are not already divided, and what Ministers and others are fit to be of each classis, and they shall accordingly make such division and nomination of persons for each Classial Presbytery; which divisions and persons so named for every division, shall bee certified by the said Commitees and Commissioners of the said Commitee of Lords and commons for judging of Scandal, and that the Chancellors, Vice chancellors and Heads of the Universities do likewise consider how the Colledges may be put into Classial Presbyteries and doe certifie the same up to the said Commitee of Lords and Commons, and that the said certificats be made before the 25. of March next: which, Commitee of Lords & commons is required to approve and confirm the same, as they shall think fit, immediately upon receipt of such Certificate. 2ly. That the saids Classis respectively, being approved as aforesaid within their severall precincts, shall Act and Execute all power belonging to any Classis, and also shall have power to constitute Congregational Elderships where a competent number of persons so qualified for Elders, as aforesaid, shall bee found, and to that end they have power to proceed in the Tryal, Examination, Approbation and Removal of such persons as shall be chosen Congregational Elders, as the Tryers abovementioned are authorized to do, and that all Exceptions against any persons chosen to bee Elders, shall be exhibited at the next monthly meeting of the Classis, and where no persons shall be found fit to be Elders as aforesaid, then that congregation shall be immediately under the Classial Presbytery, untill that congregation shall be enabled with members fit to be Elders as aforesaid. 3ly. That the severall Classis constituted as aforesaid in severall Counties within the limits of the said respective Classis, where no Congregational Presbyteries are already settled, shall have from time to time, power to nominate such Ministers and others as are qualified according to this Ordinance, to joyn with them in the same, to be approved by the Commitee of Lords and Commons, appointed to judge of Scandal, untill such time as Congregational Presbyteries shall be settled in the said respective precincts; and that such power shall be executed not only in cases of death, or other departure of any Minister or Elder from the place of their wonted dwelling, but also in case of increase of Ministers, and of fit persons to be Elders in their severall precincts. 4. That when the said Congregational Presbyteries shall be settled within the said limits, that then the said Congregational Presbyteries shall Act according to the power & d're-

1648.

dership, with the consent and approbation of the people of that Congregation. 6. That it shall be lawfull for the Congregation respectively, or any other persons to exhibite Exceptions against any persons elected as aforesaid, touching the right of his election, the qualification of the Person before mentioned, or touching matter of Ignorance or Scandal hereafter mentioned, to such persons as are hereafter appointed to receive the said Exceptions. ----- Concerning the Tryers and Judges of the Integrity and Ability of such as are to be chosen Elders, in the Province of London, and of the Innes of Court, which were deduced into twelve Classes, and severall mentioned for every Classis, which should have power to be Tryers of all such as were to be chosen or elected as Congregational Elders, and it was likewise appointed, 2ly. That all Exceptions objected against any persons elected to be Congregational Elders shall be exhibited to the Tryers above mentioned respectively, within fourteen dayes next after the said election. 3ly. That the said Tryers shall have power to receive, hear and determine all exceptions brought in to them concerning undue elections, and to that end to call before them all such persons so elected, and accepting such election, and to send for such Witnesses as shall be nominated unto them by such persons as shall bring in such exceptions, and shall have power to examine upon Oath both the persons bringing in such exceptions, and the said Witnesses concerning any undue proceedings in the manner of the said election, and concerning all matters of ignorance or scandal objected against the party elected and expressed afterwards, to be a sufficient cause of suspension from the Sacrament of the Lords Supper, and of which any Eldership by an Ordinance of Parliament, hath cognizance and jurisdiction, and that shall be proved to have been committed within one whole year before the exceptions exhibited, and that the persons against whom the exceptions are taken shall have liberty to produce Witnesses to be examined in like manner on their behalf. 4ly. That the Tryers shall have power to examine whether the Elders that are chosen be so qualified as is above expressed. 5ly. That in case the election of any Elder of a Congregation, upon just proof and Examination be found by the Tryers appointed for that purpose, to be unduly made, or the persons to be ignorant or scandalous, or not qualified as aforesaid, then the said Tryers may order such Elder to be removed, and another to be chosen in his place. 6ly. That in no case no just exception as aforesaid shall be proved against any Elder, and that the said Elder shall approve himself as duly qualified for the said Office unto the Tryers, then the Tryer, shall have power to approve the person so elected to be a Congregational Elder in the place where he is so elected; and the person so approved is hereby authorized to act with the Minister, and the rest of the Congregational Eldership in the Government of that Congregation. 7ly. That the said Tryers have power to call before them those persons whose Names shall be returned to them as chosen to be Elders in any Congregation, to know, whether they are willing to accept of the said Office, and to receive further satisfaction from them, concerning their fitness for the said Office. 8ly. That what shall be done by the Major part of the Tryers that be present, not being under the number of seven in each Classis, shall be esteemed as the Act of all Tryers of that Classis. 9ly. That the Committee of Lords and Commons hereafter mentioned, appointed for the judging of Scandal, have power to constitute Tryers within the Province of London, where need shall require: therefore it was ordained, That the severall Parishes of London, were divided into severall Classes, twelve in all as there nominated. 2ly. That all the severall Parishes

of Great Britain and Ireland.

245

1648.

Parishes and places within the Cities of *London* and *Westminster*, and the parts adjacent, according as they are distinguished into twelve several Classes, shall be the extent and bounds of the Province of *London*. 3ly. That the Chapel of the Rolls, the two Sergeants Innes, and the four Innes of Court, shall be under the Presbyterian Government, of those respective Classes within the limits whereof they are situate.

*Concerning the Members of the Classcal and Congregational Presbyteries,
in the severall Counties of the Kingdome of England and Do-
minion of Wales.*

First that the Commitees or Cōmissioners named in the ordinance of 60000 pounds *per mensum*, dated the 23. of June 1647. or any three or more of them, of the severall Counties of this Kingdom with the assistance of such Ministers and others as they shall think fit, do forthwith meet and consider how their severall Counties respectively may be most conveniently divided into distinct Classcal Presbyteries, where they are not already divided, and what Ministers and others are fit to be of each classis, and they shall accordingly make such division and nomination of persons for each Classcal Presbytery; which divisions and persons so named for every division, shall be certified by the said Commitees and Commissioners of the said Committee of Lords and commons for judging of Scandal, and that the Chancellors, Vice chancellors and Heads of the Universities do likewise consider how the Colledges may be put into Classcal Presbyteries and doe certifye the same up to the said Committee of Lords and Commons, and that the said certificats be made before the 25. of March next: which, Committee of Lords & commons is required to approve and confirm the same, as they shall think fit, immediately upon receipt of such Certificate. 2ly. That the saids Classis respectively, being approved as aforesaid within their severall precincts, shall Act and Execute all power belonging to any Classis, and also shall have power to constitute Congregational Eldershops, where a competent number of persons so qualified for Elders, as aforesaid, shall be found, and to that end they have power to proceed in the Tryal, Examination, Approbation and Removal of such persons as shall be chosen Congregational Elders, as the Tryers abovementioned are authorized to do, and that all Exceptions against any persons chosen to be Elders, shall be exhibited at the next monthly meeting of the Classis, and where no persons shall be found fit to be Elders as aforesaid, then that congregation shall be immediately under the Classcal Presbytery, untill that congregation shall be enabled with members fit to be Elders as aforesaid. 3ly. That the severall Classis constituted as aforesaid in severall Counties within the limits of the said respective Classis, where no Congregational Presbyteries are already settled, shall have from time to time, power to nominate such Ministers and others as are qualified according to this Ordinance, to joyn with them in the same, to be approved by the Committee of Lords and Commons, appointed to judge of Scandal, untill such time as Congregational Presbyteries shall be settled in the said respective precincts; and that such power shall be executed not only in cases of death, or other departure of any Minister or Elder from the place of their wonted dwelling, but also in case of increase of Ministers, and of fit persons to be Elders in their severall precincts. 4. That when the said Congregational Presbyteries shall be settled within the said limits, that then the said Congregational Presbyteries shall Act according to the power &

d'rs

The Civill Warres

directions of this Ordinance, in that behalf. 5ly. That any such time as seven Congregational Eldershops or more shall be constituted into any classisall precinct in any of the Counties by the respective Classis, established as above said, the same shall by them be signified to the severall Congregational Eldershops so established, and the said Congregational eldershops shall forthwith proceede to depure each of their Elders as are most fit, who, together with their Minister, shall meet as a classis of that precinct, and execute all power belonging to such or any former Classis, and the Classis formerly constituted shall cease as to that precinct. 6ly. That in all such Classisall Eldershops, whether in the Province of London, or in any of the Counties of the Kingdom, there shall bee out of every Congregational Eldership, two Elders or more, not exceeding the number of four, and one Minister sent to every Classis. 7ly. That the Classisall Assemblies in each Province within the Kingdom of England and Dominion of Wales, shall assemble themselves within one Month after they shall be thus constituted, and shall thenceforth hold their meetings Monthly by adjournment, or oftner if need bee, in such certaine place as shall be most convenient for the ease of the People, and that before they sit about any business there be a sermon or Exposition of Scripture made by some Minister of that Classis, or Expectant as they shall agree among themselves. 8ly. That for the more orderly managing of such Affairs as come before them, there bee one Moderator choisen by the Classis at every meeting out of the Ministers of the Word, who shall continue until the next meeting. 9ly. That the Classis have power to take in such Ministers as they shall think fit within their Precincts, although at the present there be no Eldership constituted in the said congregation. 10. That in the Classisall meeting of all the Classes, that which shall be done by the major part present, shall be esteemed as the Act of the whole Classisall number, and that no Act done by any Classis shall be valid and good, unless it be done by the number of twelve present, whereof four at least to bee Ministers, and eight at the least Ruling Elders, or the major part of them. 11ly. That the congregational Presbyteries shall meet once every week, and oftner, if occasion shall require.

Concerning the Members of Provincial Assemblies.

First that the Committee of Lords and Commons have power to bound the Provincial Assemblies in the Kingdom of England, and Dominion of Wales. Secondly, That the provincial Assemblies shall be constituted of Members sent from every classis within the province. Thirdly, That the number of the Members sent from every Classis shall be proportioned as that the Provincial Assembly may bee more in number then any Classisall Presbytery, and to that end they shall be at the least two Ministers, and four ruling Elders out of every Classis, and that where there shall be need, the committee of Lords and commons for the adjudging of Scandal shall increase the number of Delegates which are or shall be sent to any provincial Assembly, as they shall think fit. Fourthly, That the Elders of the Classis of the City of London shall hold their Provincial Assemblies in *Sion Colledge*, as formerly they have done, and may adjourn their meeting *de die in diem*, and conclude their meeting with adjournment unto the next opportunity as formerly they have done, and that no act shall passe or bee valid in the said Province of London, but what shall be done by the number of thirty six persons present.

of Great Britain and Ireland,

247

1648.

sent, or the major part of them, whereof twelve to be Ministers, and four and twenty ruling Elders, and that the first meeting of the provincial Assemblies in the several Counties be appointed by the Committee of Lords and Commons aforesaid, and may adjourn as aforesaid, who are also to appoint the *Quorum* that shall act in each province. Fifthly, That the provincial Assembly being constituted shall meet twice every year, or oftner if occasion shall require.

Concerning the National Assembly.

First the National Assembly shall be constituted of Members chosen by, and sent from the several provincial Assemblies aforesaid, the number of the Members from each province to the Nationall Assembly shall bee two Ministers, four ruling Elders and five learned and godly persons from each University. Secondly, The National Assembly shall meet when they shal be summoned by Parliament, and to sit and continue as the Parliament shall order, and not otherwise.

Of Subordination of the Assemblies.

First, That there be a Subordination of congregational, Classcal, provincial and National Assemblies for the Government of the Church, that so Appeals may bee made from the Interior to the Superior respectively. 2ly. That in all cases of Appeal to the Classcal, Provincial, or Nationall Assembly, they shal have power respectively to proceed thereupon, by examination of witnesses and otherwise, in such manner as the Congregational Eldership, from which the Appeal ariseth, are enabled to do by this Ordinance of Parliament; and shall certifie such their proceedings to the said Eldership. 3ly. That the Provincial and National Assemblies have the same power in all points of Government and censures brought before them, within their several bounds respectively, as doth belong to the Classcal Presbyters within their several Associations. 4ly. That if any person shal find himself grieved with the proceedings against him before the Eldership of any Congregation, he shal have liberty to appeal to the Classcal Eldership, and from thence to the provincial Assembly, and from thence to the National, and from thence to the Parliament.

Of the Power in Common of all these Assemblies, and the Ordered to be observed in them.

First that the several Assemblies before mentioned may convent and call before them any person within their several bounds, whom the Ecclesiastical business that is before them shal concern, either as party, or as a witness, according to the nature of the business, and that they do hear and determine such causes and differences as shal orderly come before them, and accordingly dispence Church censures. 2ly. That these several Assemblies, or the major part of them respectively, shal have power by Warrant under their hands, in all cases whereof they have cognizance by this Ordinance, and all such witnesses as shal be named for the discovery of the truth of such complaint, and in case any person shal refuse to appear, then upon complaint to the next Justice of peace the

The Civill Warres

the party refusing shal be brought before him, and in case of obstinate persisting, shal be committed by the said Justice of the peace, till he submit unto Order. 3ly. That in these meetings of the severall Assemblies, one whose Office is to labour in the word and Doctrine, do moderate in their proceeding, who is to vote as well as the rest of the members, to begin and end the meeting with prayer, to propole Questions, gather the Votes pronounce the Resolves; but not do any Act of Government, unless in and jointly with the Assembly, whereof he is Moderator. 4ly. That all the Members of these Assemblies respectively, are to attend on the appointed dayes of their meetings, or to send the reasons of their absence to be judged by the Assembly where they are met.

The Power of the Congregational Elderships or Assemblies for Governing of a particular Congregation.

First, that the Congregational Eldership, consisting of the Minister or Ministers, & the other ruling Officers of that Congregation, shall have power, as they shall see just occasion, to enquire unto the knowledge and spiritual estate of any member of the Congregation, to admonish and rebuke, to suspend from the Lords Table those that are found by them to be Ignorant and Scandalous, and to excommunicate according to the Rules and Directions hereafter following. Secondly, That where there are many ruling Officers in a particular Congregation, some of them do more especially attend the inspection of one part, some of Another, as may be most convenient and some of them are at fit times to visit the severall families, for their spiritual good. Thirdly, that the Numbers of the Elders in each Congregation, be proportioned according to the condition of the Congregation, and the exercise of their Office is so to be ordered by the Eldership, as that their civil employment may be least hindered thereby.

The power of Classifical Assemblies.

First, That Classifical Presbyteries, which are Assemblies made up of Ministers of the Word, and other Ruling Officers, belonging unto severall neighbouring Congregations, shall have power to consider, Debate and Resolve according to Gods Word, such cases of conscience, or other difficulties in Doctrine as are brought unto them out of their Associations, according as they shall find needfull for the good of the Churches. Secondly, To examine and censure according to the Word, any erroneous Doctrine which hath been vented within their Association, to the corrupting of the judgement of men; and to endeavour the converting and reducing of Reculants, or any other in Error or Schism. Thirdly, To take cognizance of causes omitted or neglected in the Elderships or particular Congregations, and to receive appeal from them. Fourthly, To dispence censures in cases within their cognizance, by Admonition, Suspension, or Excommunication. Fifthly, To admonish, or further to censure Scandalous Ministers, whether in Life or Doctrine, according to the nature of the offence, and that not only for such offences, for which any other Member of the Congregation shall incur any censure of the Church, in which case he is to be censured by the Classis, by the like censure, for the like offence, but likewise particularly for Simony, entering into any Ministerial charge, without allowance of authority, false Doctrine, affected lightness and vanity

of Great Britain and Ireland.

249

1648.

vanity in preaching, wilfull neglect of preaching, or slight performance of it, wilfull non-resistance from his charge, without call, or cause approved by the Classis, neglect of Administration of the Sacrament, or other Ministerial duties required of him in the Directory of Worship, depraving and speaking reproachfully against the wholesome orders, by authority settled in the Church, casting reproach upon the power of Godliness, which he by his Office ought chiefly to promote; yet that no Minister be deprived or degraded but by the Resolution of a Synod. Sixthly, To examine, ordain and admit Ministers for the Congregations respectively therein associated, according to the Orders and Directions hereafter following.

The Ordination of Ministers.

WHereas the word *Presbyter*, that is to say, *Elder*, and the word *Bishop*, do in the holy Scriptures inteno and signifie one and the same function, although the Title of *Bishop* hath been by corrupt custom appropriated to one, and that unto him ascribed, and by him assumed, as in other things, so in the matter of Ordination, that was not meet, which Ordination notwithstanding being performed by him a *Presbyter* joyned with other *Presbyters*, we hold for substance to be valid, and not to be disclaimed of any that have received it, and that *Presbyters* so ordained, being lawfully thereunto called and authorized, may ordain other *Presbyters*; and whereas also it is manifest by the Word of God, that no man ought to take upon him the Office of a Minister, untill he be lawfully called and ordained thereunto; and that the work of Ordination, that is to say, an outward solemn setting apart of persons for the Office of the Ministry in the Church, by the preaching *Presbyters*, is an Ordinance of Christ, and is to be performed with due care, wisdom, gravity and solemnity, It is ordained by the Lords and Commons assembled in Parliament, and by the Authority of the same, after advice had with the Assembly of Divines, now convened at *Westminster*, that the several and respective bounds may and shall examine, approve and ordain *Presbyters*, according to the Directory for Ordination, and Rules for Examination hereafter expressed; that is to say,

The Rules for Examination are these.

First, That the partie to be examined be dealt with in a Brotherly way, with mildness of Spirit, and with special respect to the Gravity, Modesty, and quality of every one. Secondly, He shall be examined touching his skill in the Original Tongues; and that tryal be made by Reading the Hebrew and Greek Testaments, and rendering some portions of them into Latine; inquiry also shall be made of his knowledge & skill in Logic, Philosophy, and other Learning. Thirdly, It shall be inquired what Authors in Divinity he hath read, and observed the Ecclesiastical History, and what his skill is in the Chronology of the Scripture. Fourthly, Tryal shall be made of his knowledge in the chief Grounds of Religion, and of his ability to defend the Orthodox Doctrine contained in them against all unsound and erroneous opinions, especially those of this present age; also of his skill in the sense and meaning of such places of Scripture as shall be proposed to him; also his judgement in cases of conscience. Fifthly, If he hath

The Civill Warres

1648.

not before preached in publick, with approbation of such who have ability to judge; he shall at a competent time assigned him, and before the Presbytery, preach a Sermon upon such a place of Scripture as shall be given him. Sixthly, He shall in a competent time also frame a discourse in Latine in such common place or controversie in Divinity as shall be assigned him, and exhibite to the Presbytery such Thees as expresse the sum thereof, and maintain a Dispute upon them, and he shall preach before the people, the Presbytery, or some of the Ministers of the Word appointed by them, being present. Seventhly, The proportion of his Gifts in relation to the place unto which he is called, shall be considered. Eighthly, Besides, the Tryal of his Gifts in Preaching, he shall undergo an examination in the premies two several dayes, or more if the Presbytery shall think it necessary. Thirdly, After which he being approved is to be sent to the Church, or other place where he is to serve, if it may be done with safety and conveniency, there to preach three several days and to converse with the people, that they may have tryal of his Gifts for their Edification, and may have time & leasure to inquire into, and the better to know his life and conversation. Fourthly, In the last of these dayes appointed for the making known of his Gifts in preaching, there shall be sent from the Presbytery to the Congregation a publick Instrument in writing, which shall publickly be read before the people, and after affixed to the Church-door, to signifie such a day any Member or Members of the said Congregation, or any other person or persons whatsoever, or any of them may put in, with all christian discretion and meeknesse, what exceptions they have against him, and if upō the day appointed there be no just exceptions against him, the Presbytery shall proceed to Ordination. Fifthly, Upon the day appointed for Ordination, which is to be performed in that Church where he that is to be ordained is to serve (if it may be done with safety and conveniency) a solemn Fast shall be kept by the Congregation, that they may more earnestly joyn in Prayer to God for a blessing upon the person and labour of this his Servant, solemnly to be let apart to the Office of the Ministry for their good; the presbytery shall come to the place, or some Ministers of the Word, five at the least shall be sent from the Presbytery, whereof one shall preach to the people concerning the Office and Duty of the Ministers of Christ, and how the people ought to esteem him for the Works sake. Sixthly, After the Sermon ended, the Minister which hath preached shall in the face of the Congregation demand of him, who is now to be ordained, concerning his Faith in Jesus Christ, and his perswasion of the truth of the Reformed Religion, according to the Scriptures, his sincere intentions and ends in desiring to enter into this Calling, his resolution to use constant diligence in prayer, reading, meditation, preaching, ministring the Sacraments, and doing all Ministerial duties towards his charge, with his whole desire, as in the presence of God, so as may most further their edification and salvation, his zeal and faithfulness in maintaining the truth of the Gospel, and purity of the Church, against Error and Schisme, his care that himself and Family may be unblameable, and examples to his flock, and his full purpose to continue in his Duty against all trouble and persecution. Seventhly, In all which having declared himself, professed his willingness, and promised his endeavours, by the help of God, the Presbytery, or Ministers sent from them, shall solemnly set him apart to the Office and Work of the Ministry, laying their hand on him, with a short Prayer or blessing to this effect; Thankfully acknowledging the mercy of God in sending of Jesus Christ for the Redemption of his people, and for his Alcention

to the right hand of God the Father, and there pouring out his Spirit, and giving Gifts to Men, Apostles, Evangelists, Prophets, Pastors and Teachers, for the gathering and building up of his Church, and for sitting and inclining this Man to this great Work; to beseech him to fill him with his holy Spirit, whom, in his name, we let apart to this holy service, to fulfill the Work of this Ministry in all things, that he may both save himself and the people committed to his charge. Eighthly, This or the like form of prayer or blessing being ended, let the Minister who preached, briefly exhort him to consider the greatness of his Office and Work, the danger of negligence both to himself and his people, the blisse which will accompany his faithfulness in this life; and that to come; withall let him exhort the people, and charge them in the name of God willingly to receive and acknowledge him as the Minister of Christ, and to maintain, encourage, and assist in all the parts of his Office, and to by prayer, commending both him and his flock to the Grace of God, after the singing of a Psalm, let the Assembly be dismissed with a blessing. Ninthly, Let such as are or shall be chosen or appointed for the service of the Army, Navy, Colledges, or other charges, be ordained as aforesaid, in such Church as the Classial Presbytery, to which they shall address themselves, shall think fit, and such alterations made by the Minister that ordaineth, from the exhortation last before prescribed, as the circumstance, place, and person shall require. Tenthly, Let every one which is or shall be chosen or appointed to any place or Congregation, not being at that time within the bounds of any Classial Presbytery be ordained by that Classis of Presbyters which he shall address himself unto, or by five or any greater number of Ministers of the Word, to be sent from that Presbytery; which Ordination is to be performed according to the Rules and Directions before prescribed, as far as with safety and conveniency may be. And be it further ordained by the Lords and Commons, and by the Authority aforesaid, that every person formerly ordained a Presbyter, according to the form of Ordination which hath been held in the Church of England, and is to be removed to another charge, do bring to the Presbyter where he is to be placed, if there be any, and if not, then to some other Presbyter, a Testimonial of his Ordination, and of his abilities and conversation, whereupon his fitness for that place to which he is to be removed, shall be tryed by his preaching there, and if it shall bee judged necessary by a further examination, and so without any new Ordination, he shall be admitted, if hee bee approved as fit for that place; and if any person, ordained Minister in Scotland, or in any other Reformed Church be designed to any Congregation in England, he is to bring from that Church to the Presbytery where he is to be placed, if there be any, & if not, then to some other Presbytery, a sufficient Testimonial of his Ordination of his life, and conversation while he lived with them, and of the causes of his removal, and to undergo such a tryal of his fitness and sufficiency, and to have the same course held with him in other particulars, as is set down in the foregoing rule, and provision touching the examination and admission of persons formerly ordained in England; And it is further ordained, that records be carefully kept by the Register, to be nominated by the Presbytery, of the Names of the persons ordained, with their Testimonials of the time and place of their Ordination, and of the Ministers who did ordain them, and of the charge to which they are appointed, and that no money or gift, of what kind soever, shall be received from the person to be ordained, or from any on his behalf, for Ordination or ought else belonging to it, by the Presbytery

The Civill Warres

1648.

or any of them, or any appertaining to any of them, upon what pretence soever, except to the Register for the Entry, instruments and testimonies of his Ordination, which shall not exceed the sum of 10. s. for each person ordained: And yet it is further ordained by the Authority aforesaid, that all persons who shall be ordained Presbyters according to this directory, shall be for ever reputed and taken to all intents and purposes, for lawfull and sufficient authorized Ministers of the Church of England, and as capable of any Ministerial employment in the Church, with the Rights and profits belonging thereunto, as any other Presbyters whatsoever, already ordained or hereafter to be ordained, and that all Presbyters who are hereby appointed and authorized to ordain, and shall according to this present directory, ordain any one or more Presbyters, are hereby declared to perform an acceptable Office to this Church and Kingdom, and shall have the protection of both Houses of Parliament for their indemnity: and what Presbytery soever being in due manner desired, shall without jult and true cause, refuse or deferre to ordain any Presbyter, whom by the Rules and direction of this Ordinance, they ought to ordain, or shall omit, or neglect to observe the solemnity of Ordination, in that decent and grave, and godly manner as is meet; it is hereby declared, that they are guilty of a very great offence, and deserve severer punishment.

The power of Synodical Assemblies.

First, that Synodical Assemblies, whether provincial or National, consisting of Pastors, Teachers, Church-Governours and other fit persons, when it shall be deemed expedient, where they have a lawful calling thereunto, have Ecclesiastical power & authority to judge and determine controversies of Faith, and cases of Conscience according to the Word. Secondly, They may also Excommunicate and dispense other Church censures, in cases that are orderly brought before them.

Of Church censures, and first of suspension from the Sacrament.

That the severall Elderships respectively, within their respective bounds and limits have power to suspend from the Sacrament of the Lords Supper all Ignorant and Scandalous persons within the Rules here after following, and according to the saids Rules and Directions.

Rules and Directions concerning suspension from the Sacrament of the Lords Supper, in cases of Ignorance.

First all such persons who shall be admitted to the Sacrament of the Lords Supper, ought to know that there is a God, that there is but one everliving and true God, maker of Heaven and Earth, and Governour of all things; That this only true God is the God whom we worship, That this God is but one God, yet three distinct Persons, the Father, Son and Holy Ghost, all equally God; That God created Man after his own Image, in knowledge, righteousness, and true holiness; That by one man sin entered into the World, and death by sin, and so death passed upon all men, for that all have sinned, That thereby they are all dead in trespasses and sins, and are by nature the children of wrath, and so liable to eternal death, the wages of every sin; That there is
but

but one Mediator betwixt God and man, the man Christ Jesus, who is also over all, God blessed for ever neither is there salvation in any other; That he was conceived of the Holy Ghost, and born of the Virgin Mary, That he died upon the Crosse to save his people from their sins; That he rose again the third day from the dead, ascended into Heaven, sits at the right Hand of God, and makes continual intercession for us, of whose fullness we all receive Grace necessary to Salvation; That Christ and his benefits are applied only by Faith, that Faith is the gift of God, and that we have it not of our selves, but it is wrought in us by the Word and Spirit of God, That Faith is that Grace whereby we believe and trust in Christ for remission of sins, and life everlasting, according to the promises of the Gospel, *That whosoever believes not on the Son of God, shal not see life, but shal perish eternally*; That they who truly repent of their sins, do sorrow for them, and turn from them to the Lord, and that except men repent they shall surely perish; That a godly life is conscionably ordered according to the Word of God in holiness and righteousness, without which no man shall see God; That the Sacraments are seals of the Covenant of grace in the Blood of Christ. That the Sacraments of the New Testament, are Baptism, and the Lords Supper; That the outward Elements of the Lords Supper, are bread and Wine, and do signifie the body and blood of Christ crucified, which the worthy Receiver by faith doth partake of in this Sacrament, which Christ hath likewise ordained for the remembrance of his death; That whosoever eats and drinks unworthily, is guilty of the body and blood of the Lord, and that therefore every one is to examine himself, least he eat and drink judgement to himself, not discerning the Lords body; That the souls of the faithful after death, do immediately live with Christ, in blessedness, and that the souls of the wicked do immediately go into hell torment; That there shall be a Resurrection of the bodies both of the just and unjust at the last day, at which time all shal appear before the judgement Seat of Christ, to receive according to what they have done in the body, whether it be good or evil: and that the righteous shall go into life eternal, and the wicked into everlasting punishment; That those who have a competent measure of understanding concerning the matters contained in those Articles, shall not be kept back from the Sacrament of the Lords Supper for ignorance, and the examination and judgement of such persons as shall for their ignorance of the aforesaid points of Religion, not be admitted to the Sacrament of the Lords Supper, is to be in the power of the Elderships of every Congregation.

Rules and Directions concerning Suspension from the Sacrament of the Lords Supper in cases of Scandal.

First, The severall and respective Elderships shal have power to suspend from the Sacrament of the Lords Supper, all Scandalous Persons hereafter mentioned, appearing to be such upon just proof made thereof, in such manner as by these present Ordinances is hereafter mentioned, that is to say, all persons that shal Blasphemously speak or write any thing of God, his holy Word or Sacrament; all Renouncers of the true protestant Religion, professed in the Church of England, and all Persons that shall by preaching or Writings maintain any such Errors as do subvert any of these Articles: the ignorance whereof doth render any person excluded from the Sacrament of the Lords Supper, an Incestuous, an Adulterer, a Fornicator, a Drunkard, a prophane Swearer or Curser, one that hath taken away the life of any Person maliciously, all worshippers of Images,

The Civill Warres

maget, Crosse, Crucifixes or Reliques, all that shall make any Images or Pictures of the Trinity, or of any person thereof, all Religious Worshippers of Saints, Angels, or any mere Creatures, any person that shall profess himself not to be in charity with his neighbours, all persons in whom malice appears and they refuse to be reconciled, any person that shall challenge any other person by word, message, or writing to fight, or that shall accept such challenge and agree thereto, any person that shall knowingly carry any challenge by word, message or writing, any person that shall upon the Lords-day use any dancing, playing at Dice or Cards, or any other game, Malquing, walks, shooting, bowling-playing, playing at Foot-bal, stool-bal, wrestling, or that shall make or resort unto any playes, interluds, fencing, bul-beating, or bear-baiting or that shall use hawking, hunting or coursing, fishing or fowling, or that shall publicly expose any wares to sale, otherwise than is provided by an Ordinance of Parliament, of the 6. of *Aprile* 1644. Any person that shall travel on the Lords day without reasonable cause, any person that keepeth a known stew or brothel-house, or that shall solicit the Chastity of any person for himself or any other, any person, Father or mother that shall consent to the Marriage of their Childe to a Papist, or any person that shall Mary a Papist, or any person that shall repair for any advice to any Witch, Wizard, or Fortune-teller, any person that shall menace or assault his Parents, or any Magistrate Minister or Elder in the execution of his Office, any person that shall be legally attainted with barratry, forgery, extortion or bribery. Secondly, That the Elderships of every Congregation shall have power to examine any person complained of for any matter of scandal aforesaid, and upon confession of the party before the Eldership, to have committed such an offence, to suspend any such person from the Sacrament of the Lords Supper, and the Eldership of every Congregation shall examine upon Oath such Witnesses as shall be produced before them, either for the acquitting or condemning of the party accused of any of the said scandalous Crimes aforesaid, not capital; and the Eldership of every Congregation shall judge the matter of scandal aforesaid, being not capital, upon the testimony of two credible Witnesses at the least. Thirdly, That the severall and respective Elderships in their severall and respective proceedings shall observe these ensuing cautions.

First, That cognizance and examination of any capital offence shall be by the Magistrate thereunto appointed by the Law of the Kingdom, who, if he shall commit the person questioned to prison, or secure him or her by bayl, he shall thereof make Certificate unto the Eldership of the Congregation where he or she did last reside, or to any other Eldership who shall thereupon have power to suspend the party from the Sacrament of the Lords Supper. 2ly. The Presbytery or Eldership shall not have cognizance of any thing wherein any matter of payment, contract or domain is concerned, or of any matter of conveyance, title, interest or propriety in Lands or Goods. 3ly. No use shall be made of any confession or proof made before the Eldership at any tryall at Law of any Person for any offence. 4ly. That if any person shall commit any Scandalous offence not enumerated in this Ordinance, upon the day of the Sacrament of the Lords Supper in the face of the Congregation after it is assembled, the Minister of that Congregation shall forbear to administer the Sacrament to such a person for that time, and he shall forthwith certifye the said offence and forbearance unto the Committee of Lords and Commons hereafter mentioned; and upon certificate so made, the said Committee shall proceed thereupon, as in other cases not enumerated. 5ly. That if any Member of a Congregation

gation shall by virtue of this Ordinance of Parliament, either for ignorance or any offence of scandal be suspended from the Sacrament of the Lords Supper, and being so suspended, shall offer himself to another congregation to receive the Sacrament of the Lords Supper together with them, the Ministers and Elders of such Congregation having notice of such suspension, shall not, without certificate from the congregation whereof he is a Member, that his suspension is taken off, admit him unto the Sacrament. 6ly. That any Minister of a Congregation may be suspended from giving or receiving, and any Elder from receiving the Sacrament of the Lords Supper, for the same causes, and in the same manner, and have the like benefit of Appeal, as any other Person may by this Ordinance, and after such suspension of the Elder from the Sacrament, the Elder so suspended shall not execute that Office during his suspension, untill the appeal be determined, and if upon Appeal that suspension appear to have been just, then another to be chosen in his place. 7ly. That in case of such suspension of any Minister, the Classis whereunto the said Congregation doth belong, shall appoint some fit Person or persons for the supply of that place, during such suspension, and shall have power to allow convenient maintenance for that end out of the profits belonging to the Minister so suspended, and have hereby power to sequester and employ the same for that purpose. 8ly. That in all cases of Suspension of any person from the Sacrament of the Lords Supper, the party suspended upon manifestation of his or her repentance before the Eldership by whom the party was suspended, shall be admitted again unto the Sacrament of the Lords Supper, and the suspension thenceforth shall be void. And because the Lords & Commons in Parliament assembled having it always in their purpose and intentions, & it being accordingly declared and resolved, That all sorts of notorious scandalous offenders shall be suspended from the Sacrament, be it ordained, that *Algernon Earl of Northumberland, Henry Earle of Kent.* &c. about a hundred and seventy in all, these, or any nine of them shall bee a Committee of Lords and Commons to adjudge and determine scandalous offences, not formerly enumerated, and the Eldership shall proceed their examinations of such scandalous offences, according to the cautions and restrictions mentioned herein. And the said Committee shall have such power, and shall proceed in such sort as is hereafter mentioned. If any notorious and scandalous offence not formerly enumerated be committed by any within any Eldership, and so after full proof shall be found before the Eldership, who shall have power to examine proofs and witnesses on both sides, in case both the Elderships and the party complained of, do agree, the proofs and examination to be duely taken the said Eldership shall forthwith certify the laid offence with the proofs to the Committee of Parliament, who shall with all convenient speed determine and adjudge the same: but in case the party accused shall find himself aggrieved, either by the not examination, or undue examination of witnesses, or misentering of the depositions; in such case he shall forthwith declare the same to the Eldership, who shall relieve him if there be cause, which if they shall not do, then the three Justices of the peace next to the Parish, whereof the Party complained of is a Member, or any two of them, not being of the same Eldership before whom the complaint lyes, shall have power, and are hereby enabled and required forthwith to examine upon oath the said witnesses that were not examined, or were mis-examined, or whose depositions were mis-entered, and with all convenient speed return the examination to the said Committee of Parliament, and in case the said Justices, or any two of them, do not finish their

The Civill Warres

examination within six dayes after the Cause shall be presented unto them, the party shall abstain untill they have finished & certified their examinations; & the said Committee upon hearing the whole matter from the Elderships & Justices, or either of them shall adjudge, whether the same be a notorious & scandalous offence, & so proved or no, in case the said Committee shall not adjudge and determine the Case within fourteen dayes after the receipt of the Certificate to them made, the party against whom the Certificate shall be made, shall abstain from the Sacrament untill the Committee shall determine the same, unlesse in the mean time the party shall shew his Repentance for the said offence, and thereof give satisfaction to the Eldership, and if the said Committee shall adjudge the same to be a scandalous offence, or not well proved, the said party shall be admitted to the Sacrament; and if they shall adjudge the same to be a scandalous offence, and so proved, he shall not be admitted to the Sacrament, untill he shall have testified his Repentance to the Eldership. Be it further ordained, That the Eldership shall either give personal notice to the party complained of before them, or else leave notice in writing at his Lodging or dwelling place, of the time and place, when, and where they will examine witnesses against him; and also of the time that they will make their Certificate to the Committee of Parliament: and in case information shall be given to the Eldership of a notorious and scandalous offence committed by any within their Eldership, they shall forthwith proceed to the examination thereof, and they cannot finish their examination untill the week before the Sacrament, and they shall then find by sufficient proof that he hath committed a notorious and scandalous offence, and yet they cannot certify the same before the Sacrament, it being to be administered within a week after, in such case the party shall abstain from the Sacrament for the next time only, unlesse the Committee of Parliament to whom the same is to be certified, shall adjudge the same a notorious and scandalous offence, and so proved, for which he ought to be kept from the Sacrament; and in such case, upon the testifying of his Repentance to the Eldership, he shall be again restored to the Sacrament, and not before. Be it further enacted and ordained, if any shall find themselves agrieved with the Judgement against him, given by the said Committee, they shall Appeal from thence to both Houses of Parliament, if they see cause. Be it ordained that the Committee to whom the said Certificate shall be made as aforesaid, shall report to both Houses the said several causes to them certified, and their Judgements thereupon, that so the offences not yet enumerated may be added to the enumeration, in case the Houses shall so think fit; and in their reports they shall take care, that they first report thole Certificates and their opinion thereupon, wherein they at any time shall differ from the Eldership. Be it further ordained, that these Rules and Instructions following, be carefully observed by the respective Elderships in the dispensing of this censure of suspension from the Sacrament of the Lords Supper.

First, That none be suspended from the Sacrament before admonition, unlesse the commission of the sin, or the information thereof to the Elders be so, immediately before the time of the administration of the Sacrament, that there be no space for admonition. Secondly, That offences that are private be not brought unto the Eldership, unlesse the offender be privately admonished, and is not amended by such private admonition. Thirdly, That in all cases, the Eldership especially labour to convince the person offending, of the sinfulness of that which is proved against him, and then of the

Aggravations

of Great Britain and Ireland.

257

1648.

Aggravations as they shall be needfull. Fourthly, That if they shall see cause to judge after the pressing of it on his conscience, that he yet remains unconvinced that it is a sin and therefore doth not expresse any Repentance for it, but not out of stubbornesse and obstinacy, then they are not to suspend him from the Sacrament untill further endeavours hath been used to convince him, unlesse it appear that his admission would be scandalous to the Congregation. Fifthly, That in lesser offences brought before the Eldership, they proceed with special lenity, as in greater with special zeal, and so accordingly be more slow or quick in censuring those that are found guilty, and more facile or wary in admitting expressions of Repentance. Sixthly, That it upon admonition, the offender shall give evidence of his repentance, so as the Elders shall be satisfied; and the parties offended can justly speak nothing against it, let him not be kept from the Sacrament, according to the directions afore mentioned. Seventhly, That if any accuse another for a scandalous Crime unjustly, the Eldership shall not only clear the wronged person, but take care the accuser may make such acknowledgement as the Eldership shall advise, according to the nature of the fact. Eighthly, That in all offences brought before the Eldership, they are to be carefull to keep the matter as secret as they can, even though they be forced to proceed to suspension, and not to make it more publick than the nature of the fact, and the impudency of the person doth constrain them. Ninthly, In case they should be censured in the particular Congregation whereof he is a Member, he may secretly appeal to the Classial Presbytery, or farther, if it be requisite, where not only himself may be cleared and righted, but such as have done the injury may be censured, yet *pendente lite*, let him abstain from the Sacrament.

Of Excommunication and the course of proceedings therein. The Order of proceeding with offenders who before Excommunication manifest Repentance.

First, When the offence is private, private admonition is in all love and wisdom to be observed, that the offender may either be recovered by repentance, or if he adde obstinacy or contempt to his fault, he may be cut off by excommunication. Secondly, If the sin be publickly scandalous, and the sinner being examined be judged to have signes of unfeigned repentance, and nothing justly objected against it, when made known unto the people, let him be admitted to confession of his sin and manifestation of his Repentance before the Congregation. Thirdly, When the penitent is brought before the Congregation, the Minister is to declare his sin, whereby he hath provoked Gods wrath, and offended his people, his confession of it, and profession of it, and profession of his unfeigned Repentance for it, and of his resolution through the strength of Christ to sin no more, and his desire for their prayers for mercy and grace to be kept from falling again into that or any the like sin: of all which the penitent is to make a full and free expression, according to his ability. Fourthly, Which being done, the Minister after prayer to God for the penitent, is to admonish him to walk circumspectly, and the people to make a right use of his fall and rising again, and so to declare that the Congregation resteth satisfied.

The Civill Warres

The Order of proceeding to Excommunication.

First, Excommunication being a shutting out of a person from the Communion of the Church, and therefore the greatest and last censure of the Church, let it be inflicted with great and mature deliberation, and after all other good means assayed. Secondly, That such errors as subvert the faith, or any other errors which overthrow the power of Godliness, if the party who holds them spread them, seeking to draw others after him, and such sins in practice as cause the name and truth of God to be Blaphemed, and cannot stand with the power of Godliness, and such practices as in their own nature, manifestly subvert the order, unity and peace which Christ hath established in his Church, and particularly all those scandalous sins for which any person is to be suspended from the Sacrament of the Lords Supper, obstinately persisted in, these being publicly known, to the just scandal of the Church, the sentence of Excommunication may and ought to proceed according to the Directions hereafter following. Thirdly, But the persons who hold other errors in Judgement about points wherein Learned and Godly men possibly may or do differ, and which subvert not the faith, nor are destructive to Godliness, or that be guilty of such sins of infirmity, as are commonly found in the children of God, or being otherwise found in the Faith and holy in life, and so not falling under censure by former Rules, endeavour to keep the unity of the Spirit in the bond of peace, and do yet out of Conscience not come up to the observation of all those Rules which are or shall be established by Authority, in regulating the outward worship of God, and Government of his Church, the sentence of Excommunication for those causes shall not be denounced against him. 4ly. That when the sin becomes publick and justly scandalous, the offender shall be dealt withall by the Eldership to bring him to Repentance, and to such a manifestation thereof, as that his Repentance may be publick as the scandal: but if he remains obstinate, he is at last to be excommunicated, and in the mean time shall be suspended from the Sacrament of the Lords Supper; and whereas there be diverse and various judgements touching the power of Excommunication, and the proper subject thereof, for the clearing of difficulties, avoiding of offences, and preservation of peace, let these following directions be observed.

In the great and difficult cases of Excommunication, whether concerning Doctrine or Conversation, the Classial Presbytery upon the knowledge thereof may examine the person, consider the nature of the offence, with the aggravations thereof, and as they shall see just cause may discern and declare, that he is to be excommunicated, which shall be done by the Eldership of that Congregation whereof he is a Member, with the consent of the Congregation, in this or the like manner.

First, As there shall be cause, severall publick admonitions shall be given to the Offender, if he appears; and Prayers be made for him. 2ly. When the offence is so heinous, that it cries to Heaven for vengeance, wasteth the Conscience, and is generally scandalous, the censures of the Church may proceed with more expedition. 3ly. In the admonitions let the Fact be charged upon the Offender, with the clear evidence of the guilt thereof; then let the nature of his sin, the particular aggravations of it, the punishment and curses threatened against it, the danger of impenitency after such means used, the sorrowfull condition of them cast out from the favour of God, and communion of the

Saints

of Great Britain and Ireland.

259

1648.

Saints, the great mercy of God in Christ to the penitent, how ready and willing Christ is to forgive, and the Church to accept him upon this his serious Repentance. Let these or the like particulars be urged upon him out of some suitable places of Scripture. 4ly. The same particulars may be mentioned in Prayer, wherein the Lord is to be intreated to bless this admonition to him, and to affect his heart with the consideration of these things, thereby to bring him to Repentance. 5ly. If upon the last admonition and prayer there be no evidence nor sign of his Repentance,

Let the dreadfull Sentence of Excommunication be pronounced with calling upon the Name of God, in these or the like Expressions.

WHereas thou *N* hast been by sufficient proof convinced of [*Here mention the Sin*] and after due admonition and prayer remains obstinate, without any evidence or sign of true Repentance; Therefore in the Name of the Lord Jesus Christ, and before this Congregation, I do denounce and declare thee *N*. excommunicated, and shut out from the communion of the Faithfull.

Let the Prayer accompanying the Sentence be to this effect.

That God, who hath appointed this terrible sentence for the removing of offences, and reducing of obstinate sinners, would be present with this his Ordinance, to make it effectual to all those holy ends, for which he hath appointed it; That the retaining of the Offenders sin, and shutting him out of the Church, may fill him with fear and shame, and break his obstinate heart, and be a means to destroy the flesh, and be a means to recover him from the power of the Devil, that his Spirit may be saved, that others also may be stricken with fear, and not dare to sin so presumptuously, and that all such corrupt leaven being purged out of the Church, which is the House of God, Jesus Christ may delight to live in the midst of them.

After the denunciation of this sentence, the people are to be warned, that the people hold him to be cast out of the communion of the Church, and to shun all communion with him. Nevertheless Excommunication dissolveth not the Bonds of civil or natural relations, nor exempteth from the duties belonging to them.

The Order of proceeding to Absolution.

IF after Excommunication the signs of repentance appear in the excommunicated persons, such a godly sorrow for sin, as having thereby incurred Gods heavy displeasure, occasioned grief to his Brethren, and justly provoked them to cast him out of their communion, together with a full purpose of heart to turn from his sin unto God, and to reform what has been amiss in him, with an humble desire of recovering his peace with God, and his people, and to be restored to the light of Gods countenance, and the communion of the Church; let him be brought before the Congregation; and there also make a free confession of his sin, with sorrow for it, to call upon God for mercy in Christ, to seek to be restored to the communion of the Church, promising to God new obedience, and to them more hold and circumspect walking as becometh the Gospel.

K k 2

Let

The Civill Warres

1648.

Let him be pronounced in the name of Christ absolved from the censures of the Church, and declared to have right to all the Ordinances of Christ, with praising of God for his grace, and pray, That he may be fully accepted to his favour, and hear joy and gladness to this effect, To praise God who delighteth not in the death of a sinner, but that hee may repent and live, for blessing the Ordinance of Excommunication, and making it effectual by his Spirit, to the recovery of this Offender, to magnifie the mercy of God through Jesus Christ, in pardoning and receiving to his favour the most grievous Offenders whensoever they unfeignedly repent and forsake their sins, to pray for assurance of mercy, and forgiveness to this Penitent, and so to blesse this Ordinance of Absolution, that he may find himself loosed thereby, and that the Lord would henceforth so uphold and strengthen him by his Spirit, that being sound in the Faith, and holy in all manner of conversation, God may be honoured, the Church edified, and himself saved in the day of the Lord Jesus.

Then shall follow the Sentence of Absolution in these or the like words.

WHereas thou N. hast for thy sin been shut out from the communion of the Faithfull, and hast now manifested thy Repentance, wherein the Church resteth satisfied; in the Name of Jesus Christ before this Congregation, I pronounce and declare thee absolved from the sentence of Excommunication formerly denounced against thee, and do receive thee to the communion of the Church, and the free use of all the Ordinances of Jesus Christ, that thou mayest be partaker of his benefits to eternal salvation.

After this Sentence of Absolution, let the Minister speak to him as to a Brother, exhorting him to watch and pray, or comforting him, if there be need, let the Elders embrace him, and the whole Congregation hold communion with him as one of their own.

This is the whole Presbyterian Church-Government, as it was established by the two Houses, which, whether it would not have proved far more burdensome to the people than Episcopacy, I leave to those mens determinations, whose leisure and abilities may make them capable of judging it.

CHAP LXXXIII.

The Treaty of Newpott; The Kings Concessions voted satisfactory; The House of Commons purged.

THe several Risings of these Countries, and endeavours before spoken of, and the endeavours of others to do the like, together with the Princes hovering about *Tarmouth* with the revolted ships, and a considerable force of Land-men, and his publishing a Declaration as if he intended to Land, as likewise the Invasion of the Scots with so potent an Army, frighted the Parliament into a recession from their votes of Non-address, and in stead of them they send the *Earl of Middlesex*, *Sir John Hepfely*, and *Mr. Bulkeley* as Messengers to acquaint the King with their Votes, that the Houses did desire a Treaty with his Majestis Person, in what place of the *Isle of Wight* hee should appoint, upon the propositions tendered to him at *Hampton Court*, and concerning Wards and

and Liveries, and to treat with honour, freedom and safety to his person, and to the Commissioners of Parliament, and that he would receive such further Propositions to treat on as should be presented to his Majesty. The Messengers had Order to return within ten dayes, on the sixth of *August* they arrived at *Carisbrook* Castle, where they presented to his Majesty the Desires of the two Houses; who told them, That none could be more Desirous of Peace than himself, in several relations, as a King, a Husband, a Father, & a Master; for whoever were the Gainers by these Wars, he was sure to be the Loser, and therefore he told the Messengers, That he would though without a Secretary, soon deliver them an Answer. And accordingly, on the tenth of *August* he gave them this,

Charles Rex.

IF the Peace of my Dominions were not much dearer to me than any particular interest whatsoever, I had too much reason to take notice of the several Votes which passed against me, and the sad condition I have been in now above these seven months; but since you my two Houses have opened, as it seems to me, a fair beginning to a happy Peace, I shall heartily apply my self thereunto, and to that end, I will as clearly and shortly as I may, set you down those things I conceive necessary to this blessed work, so that we together may remove all impediments that may hinder a happy conclusion of this Treaty which with all cheerfulness I do embrace, and to this wished end, your selves have laid most excellent Grounds, for what can I reasonably expect more than to treat with Honour, Freedom, and Safety, upon such Propositions as you have or shall present to me, and such as I shall make to you? but with all remember that it is the definition not names of things which makes them rightly known, and that without means to perform, no proposition can take effect: and truly my present condition is such, that I can no more Treat, than a blind-man judge of Colours, or one run a race who hath both his Feet fast tyed together; wherefore my first necessary demand is, that you will recall all such Votes and Orders by which People are hindered or frighted from coming, writing or speaking freely to me. Next, That such men of all professions whom I shall send for as of necessary use to me in this Treaty, may be admitted to wait upon me; in a word, that I may be in the same state of Freedom I was in when I was last at *Hampton Court*, and indeed less cannot in any reasonable measure make good those offers which you have made me by your Votes, for how can I treat with Honour, so long as people are terrified with Votes and Orders against coming to speak or write to me? And am I Honourably Treated, so long as there is none about me, except a Barber, who came now with the Commissioners, that ever I named to wait upon me, or with Freedom, until I may call such unto me, of whose Services I shall have use in so great and difficult a work? and for safety, I speak not of my Person, having no apprehension on that way, how can I judge to make a safe and well-grounded Peace, until I may know without disguise the true present state of all my Dominions, and particularly, of all those whose Interests are necessarily concerned in the peace of these Kingdoms? which leads me naturally to the last necessary demand I shall make for the bringing of this Treaty to a happy end; which is, That you alone, or you and I jointly, do invite the Scots to send some Persons authorized by them, to Treat upon such Propositions as they shall make, for certainly the publique and necessary Interest they have in this great settlement, is so clearly plain to all the World, that I believe no body will deny the necessity of their concurrence in this

1648.

The Civill Warres

this Treaty, in order to a durable peace; Wherefore I will only say, that as I am King of both Nations, so I will yeeld to none in either Kingdom, for being truly and zealously affected for the good and honour of both, my resolution beeing never to be partial for either, to the prejudice of the other: Now as to the place because I conceive it to be rather a circumstantial than real part of this Treaty; I shal not much insist upon it, I name *Newport* in this Isle, yet the fervent zeal I have that a speedy end be put to these unhappy distractions, doth force me earnestly to desire you to consider what a great loss of time it will be to Treat so far from my two Houses, when small debates, of which doubtlesse there will be many, must be transmitted to *Westminster* before it bee concluded, and really I think, though to some it may seem a Paradox, that peoples minds will be more apt to settle, seeing me Treat in or near *London*, then in this *Isle*, because so long as I am here, it will never be believed by many, that I am really so free as before this Treaty begin I expect to be, and so I leave and recommend this point to your serious Consideration, and I have not only fully accepted of the Treaty which you have proposed to me by your votes of the third of this Month, but also given it all the furtherance that lies in me, by the necessary means for the effectual performance thereof, all which are so necessarily implied by, though not particularly mentioned in your Votes, as I can no wayes doubt of your ready compliance with me: Herein I have no more to say, but to conjure you by all that is dear to Christians, honest men, or good Patriots, that yee will make all the expedition possible to begin this happy work, by hastning down your Commissioners fully authorized, and well instructed, and by enabling me, as I have shewed you to Treat, praying the God of Peace so to blese our endeavours, that all my Dominions may speedily enjoy a safe and well grounded peace.

Carisbrooke Castle, 16 August 1648.

The Parliament upon debate of this Answer of the Kings, passed these Votes, That the Votes of Non-address to the King, be recalled; That such Persons as he shall send for, as necessary to him in this Treaty be admitted; That he be in the state of Freedome as at *Hampton Court*, with such Servants as he desires; That the Treaty be at *Newport*; That the *Scots* be invited to Treat with his Majesty upon the Propositions of both Kingdoms delivered to him at *Hampton Court*. That his Majesty be admitted to invite the *Scots* thereunto; That the instructions of Parliament to Col. *Hammond* be recalled; That five Lords and ten Commons be chosen Commissioners to Treat with the King; That it be referred to a Committee of Lords and Commons for Peace, to prepare all things in a readinesse hereunto. But to these Votes the Commons added this proviso, That the King should invite the *Scots* to Treat only concerning that Kingdom. These being sent to the King, he returned answer of his willingness to accept thereof, though not so full as he could have wished; he likewise desired that he might have a passe for *Parsons* a Messenger of his presence Chamber, to go into *Scotland*, and sent a list of such persons as he desired might attend him, which were, the Duke of *Richmond*, Marquesse of *Hartford*, Earls of *Lindsey* and *Southampton*, Gentlemen of his Bedchamber, *George Kirk*, *James Leviston*, *William Murray*, *John Ashburnham* and *William Legg*, Grooms of the Bed-chamber, *Thomas Davis* Barber, *Hugh Harne*, *Humphrey Rodgers*, and *William Levin*, Pages of the Back-stairs, *Rever*, Yeomen of the Robes. *Queries* Mr.

of Great Britain and Ireland.

263

1648.

Mr. Robert Yerwhit, and Mr. John Hensden, with four or six Footmen, as they should find fittest to wait, Parsons Groom of the presence, Mrs. Laundresse and her Maids, and to attend as they did, or as his Majesty should appoint them, Sir Foulk Greuil, Captain Titus, Captain Boroughs, Mr. Cresset, Mr. Hansted Firebrace, and for his Chaplains, the Bishops of London and Salisbury, Doctors Sanderson, Sheldon, Harnmond, Oldworth, Turner and Haywood, besides for Lawyers to advise with, Sir Thomas Garner, Sir Orlando Bridgeman, Sir R. Holburn, M. Jeffrey Palmer, Mr. Thomas Cook, and Mr. John Vaughan, besides Sir Edward Waker, M. Philp Warwick, Mr. Nicholas Oudart, and Mr. Charles Whitacre, for Clerks and Writers, and Mr. Peter Newton to make the House fit for to Treat in, The King likewise desired safe conduct to be granted to the Scots Commissioners, the Lord Carnegy, Sir Alexander Gibson, the Lord Clerk, Register, and Sir James Carmichel, to come and icyn with him in the Treaty, but the two first were refused, having been in Arms against the Parliament of England, Hee moreover desired four Bishops, Armagh, Exeter, Rochester and Worcester, Doctor Ferne and Doctor Morley, Divines, and Sir Thomas Remes and Doctor Duck, civil Lawyers to attend him; but neither these nor any other of the Kings Friends were permitted to speak, but onlie to stand behind the Hangings to hear what was said, so the King was solely to oppose all the Parliaments Commissioners, who arrived at Newport on Friday the 15th of September, and were, the Earls of Salisbury, Pembroke, Middlesex, Northumberland, and the Lord Say, of the House of Lords, and of the of Commons, the Lord Waneman, Mr. Pierrepont, Sir Henry Vane, junior, Sir Harbottle Grimston, Mr. Brown, Mr. Crew, Mr. Hollis, Mr. Glyn, Sir John Pass and Mr. Bulkley; on the next day after their arrival, the King kept a Solemn Fast, having the Service performed according to the Book of Common Prayer, only this particular Prayer was added.

O Most merciful Father, Lord of Peace and Truth, we a people sorely afflicted by the scourge of an unnatural War, do here earnestly beseech thee to command a blessing from Heaven upon this Treaty brought about by thy Providence, and the only visible Remedy left for the Establishment of a happy Peace, soften the most obdurate hearts with a true Christian desire of saving those mens blood for whom Christ himself hath shed his. O Lord let not the guilt of our sins cause this Treaty to break off, but let the truth of thy Spirit so clearly shine in our minds, that all private ends laid aside, we may every one of us heartily & sincerely pursue the publick Good & that thy people may be no longer so blindly miserable, as not to see in this their day the things that belong unto their Peace. Grant this gracious God, for his sake who is our peace it self, even Jesus Christ our Lord, Amen.

On Monday morning the eighteenth of September, the Treaty began, The Commissioners of Parliament presenting the King with four Cautionary Bills first to be passed, as Acts, and then they promised to commence a Treaty upon the Propositions; The four Bills were, 1. That the Parliament should have power for the future to order the Militia without the Kings consent, to raise what Armes they please, and none others upon pain of Treason, should assemble to the Number of Thirty persons, without the Authority of Parliament. 2ly. That the Houses might sit, adjourn, and assemble to any place, and at any time at their own discretion. 3ly. To declare Oaths,

Inter-

The Civill Warres

1648.

Interdictions, and Declarations against the Parliament void. 4. That all Titles of Honour conferred by the King, from the time himself departed, and conveyed away the Great Seal of *England*, should be void. These were likewise to run with this Preamble, Forasmuch as both Houses of Parliament have been necessitated to undertake a War for their just defence, and for the prosecuting thereof, have bound themselves in a Covenant, Be it enacted by the Kings Command, &c. So that the King must be forced to own their taking up Armes just and necessary, and his own unjust; but it was thought impertinent, as the King had formerly alleged, to come to a Treaty, and to grant the chief things to be treated of, before the Treaty began; the Propositions therefore, which were 11. in number, were taken into Debate. First, That all Declarations and Proclamations against the two Houses of Parliament, and all Judgements and Indictments, &c. against them be declared null. To which the King willingly assented. 2y. That a Statute be enacted for the abolishing of all Archbishops and Bishops out of the Churches of *England* and *Ireland*, and for the selling of their Lands and Revenues: As also that the calling and sitting of the Synod of Divines be approved by the Royal assent, and the Reformation of Religion for *England* and *Ireland*, according to such models as the Members of Parliament had or should decree, Consultations being first had with the said Divines. And in particular, that the King would grant his assent, that the Act of both Houses formerly made concerning the Directory, as concerning the publick celebration of Gods worship throughout *England* and *Ireland*, for the abolishing the Ancient Liturgy for the form of Church Government, and Articles of Religion, with the Catechisms, the great and the lesse, for the more religious Observation of the Lords day, for suppressing of Innovations in Churches and Chapels, for the encouraging the publick Preachers to their Duties by a just reward, for prohibiting pluralities of Benefices, and Non-residence to Clergy-men, should henceforth passe into Statutes & Laws. That the King would set his hand to the National League and Covenant, and suffer himself to be bound by the same. That by a publick Act it be enjoyed, all the Subjects of both the Kingdoms of *England* and *Scotland* to be bound thereby under a penalty to be imposed at the pleasure of both Houses. That it may belong to the Houses of Parliament to visit and reform the Universities of *Oxford* and *Cambridge*, and the Colledges of *Westminster*, *Winchester*, and *Eaton*. That it be provided by Statutes, that Jesuites, Priests and Papists disturb not the Common-wealth, nor elude the Laws; as also for the determining of them, an Oath to be administered to them, wherein they shall abjure the Pope of *Romes* Supremacy, Transubstantiation, Purgatory, Image, Worship, and other Superstitious Errors of the Church of *Rome*. That provision be made for the education of the Children of Papists in the Faith & Religion of Protestants, for the imposing of Mults on Papists, and disposing the benefit thereof at the discretion of the Parliament. That provision be made for suppressing the practices of Papists, against the Common-wealth, for the executing Laws against them without fraud, and for the stricter forbidding of administering and frequenting Masse, whether in the Court, or whatsoever place within *England* and *Ireland*. The King assented to all the Articles, except only that, for the abolishing of Bishops, and the Sale of the Revenues; Yet in some measure, To comply with the Parliaments Desires in that Particular, He was content; That whatsoever did in Episcopacy appear not to have clearly proceeded from Divine institution should be totally abolished; and afterwards hoping that

that the Parliament would in other things condescend somewhat to him, he was content that the Office of Ordination should not for three years be exercised by Bishops, without the consent of the Presbytery, yet this to be suspended till twenty Divines of his own nomination, consulting with the Synod, something of certainty might be determined, touching Ecclesiastical Government; whereto, together with the Parliament, he promised to give assent; nor was he unwilling that the Presbytery should in the mean time be seised for experience of it. But for the Sale or Alienation of the Church Lands and Revenues, esteeming it a horrid Sacrilege, he could not assent, yet to comply as far as he in conscience might with the Parliament, he would permit them to be let out for ninety nine years, paying a small quit Rent yearly, in testimony of their Hereditary right, and for the maintainance of the Bishops, provided that after that term were expired, they might return to the right of the Crown, to be employed to the use of the Church. The third Proposition was, That the power of the Militia both by Land & Sea, throughout *England* and *Ireland*, should reside in the Parliament solely, with power to raise and train as many Souldiers as they pleased, to lead them whither they pleased, and to leavy what Moneys they pleased for their pay, whereby they might be able to encounter intestine troubles, and resist foreign Invasions, and that the King and his Successors should not claim any right therein for the space of twenty years, after the extirpation whereof, if the Parliament should think the safety of the Commonwealth to be concerned, that an Army, whether for Land or Sea Service, be raised, and pay allotted them, and exact the same by their Authority; That such Votes should have the force of a Law, though the King refused to give his assent; and That if any persons of what degree or quality soever, to the number of thirty, should be gathered together in Armes, and should not at the command of the Lords and Commons, lay down their Armes, they should be accounted guilty of High Treason, without hope of Pardon from the King. To this Proposition the King assented according to their desires. The fourth, That by an Act of Parliament, the cessation of *Ireland*, and all Treaties and Articles there made without the consent of Parliament, should be void; and That the right of prosecuting the War against the Irish Rebels, should depend upon the discretion of Parliament; That the Deputy and all Ministers, whether of the Martial or Civil Government, should be nominated by Parliament, as the Chancellor of *Ireland*, Keeper of the Great Seal, Treasurer, all Officers of the Kingdom, all the Judges, &c. and the Places, Offices, Honours, Titles and Donations of Lands granted by the King since the cessation made, to be annulled. This Proposition likewise the King fully and wholly assented to. The fifth, That all Honours and Titles since the second of May 1642. at which time the Great Seal was carried away from the Parliament by the Lord Keeper, should be declared null; and That no man hereafter chosen into the Honour of Peerage, should sit in the Houle of Lords without the consent of both Houles. To this likewise the King gave his assent. To the sixth Proposition, That the Parliament should raise what moneys they pleased for the payment of publick debts and damages, and for whatsoever publick uses they should hereafter see needful. The King consented, provided that those debts might be audited & ascertained within two years. The seventh proposition contained those terms which Delinquents, or those who had been faithfull and serviceable to the King, should fall under, in the first head of it, the two Princes *Rupert* and *Maurice*, three Earls, five Lords, two Bishops, two Judges of the Kingdom, twenty two Knights the

1648.

Kings best friends, together with all Papists who had been in Armes amongst whom was named the Marquesse of *Winchester* two Earls, two Lords, and six Knights, with all such as raised or fomented the Irish Rebellion, should by the Kings consent be exempted from pardon of life or estate; In the second head were included such Members of the Lower Houle, who detesting the Parliament, had passed over to the King, together with all Judges, Lawyers and Clergy-men, who were required by the Kings consent to be banished from Court, and to be made incapable of executing publick Offices under the penalty of high Treason, the Clergy to be interdicted preaching, and the Lawyers their practice. Those under the third Head, were such as had acted or counselled any thing against the Parliament, who were made incapable of publick Offices. The fourth qualification concerned the private Souldiers, and those whose Fortunes exceeded not two hundred pounds. The estates of those who were comprehended in the first qualification, were to be sold towards payment of the publick debts. Those Members who sat in Parliament at *Oxford* were adjudged to forfeit two parts in three of their Lands and Goods. The Judges, Lawyers and Clergy-men the third part; and those under the third qualification the sixth part. Those under the fourth were to passe score free, provided they had taken the National Covenant. This Proposition so near touching the Kings best friends, and those who had so long and so faithfully served him, he could either in Honour or Conscience subject them under such hard terms; but to satisfy the Parliament he was willing to condescend, That moderate pecuniary Fines might be imposed upon them, that they be prohibited access to the King and Court, and some of them be banished the Kingdom: but not under the brand of Treason, nor with loss of Life and Possessions; but with a pecuniary Mulct to be awarded, in case they should return before the time prefixed them; That they should for three years be deprived of their right to sit in Parliament, That they should be brought to Tryal, if the Parliament thought fit, and if they had committed any thing against the established Laws of *England*, that they suffer according to their deserts; yet he was contented to grant the other Articles of that Proposition, if so be such of the Clergy as were honest, learned, and free from scandal, might enjoy the third part of their Benefices, and that such might not be wholly put by the Office of Preaching. To the eighth Proposition, that all Officers of the Kingdom, and Chief Magistrates, for twenty years next ensuing be Colated and Constituted, according to the pleasure of the Parliament, the King consented to. As he likewise did to the tenth, That the New Seal framed at the Houses appointment should be passed by the King into the Great Seal of *England*, and that no other should thereafter be used; That all Grants and Commissions sealed by that new one should remain firm; and all under the old Seal, which was with the King, be made null and void, from such time as the Lord Keeper *Littleton*, conveyed it to *York*. To the tenth, (That all Priviledges, Grants, Charters and Immunities of the City of *London* should be confirmed with new Acts; That the Tower of *London*, with the Militia, should be ordered at the discretion of the Mayor of the City, Aldermen and Common Council; and that no Citizen should be compelled to military service out of the Liberties of the City, unlesse at the Parliaments appointment.) The King likewise condescended. The last, That the Courts of Wards, with all Offices and employments thereto belonging, should be exterminated; That all services likewise imposed on that Account should cease, all Inheritances which formerly were held of the King in Capite, &c. (namely,

(namely, by Knight-service) being freed from burden and charges, fifty thousand pounds being in compensation paid yearly to the King. To the taking away the Court of Wards, &c, the King was willing to agree, provided he might have one hundred thousand pounds *per annum* settled upon him instead thereof. Thus fairly was the treaty going on, when News came to the Parliament that the Marquess of Ormond was arrived in Ireland with Commission from the King to make a Peace there upon the best terms he could, and to raise all force possible to release the King out of Prison, whereupon the Commissioners for the Parliament were enordered to desire his Majesty to re-call his Commission, and make void his Power and Authority; To which the King returned Answer, That he could not recal the Authority committed to the said Marquess of Ormond, at that instant when he was delivered into Custody, unless the Houses and he should agree in other matters; but if the Treaty, as was hoped, should produce the happy and long desired peace, that then according to his condescensions to their fourth proposition, he would be content that the management of the affairs in Ireland should be left wholly to the Parliaments discretion, but in the mean time he would write Letters to Ormond, not to act any thing in pursuance of his Power and Commission, so long as the Treaty, or any hopes of an accommodation lasted. The King in deed in this Treaty, manifested more than ever his earnest desires and intentions of settling a peace, by condescending to things beyond expectation, for the Propositions were the same which were sent to him to Hampton Court, and were there refused by him, and thought unequal by the Army, yet now to bring peace to his distressed and distracted Kingdoms, and quiet to his so much harassed Subjects, he was content almost totally to unthron himself, and devolve both his Legislative and Military power, into the hands of his two Houses of Parliament, and such were his concessions that all men indeed hoped they would produce the long wished for reconciliation; The Parliament likewise agreeing (with a proviso if their Propositions were conceded to) to some propositions sent them by the King during the Treaty, as first, That his Majesty might have liberty to reside in London, or in whatsoever of his own Houses, and act at a nearer distance with the Parliament, with Freedom, honour, and Safety; That he might receive all the Revenues and Emoluments of his Crown; That he might receive a compensation for his lawful Rights, which the Parliament should think fit to abolish; but his fourth demand, That an Act of Amnesia or Oblivion should be passed, and the very memory of all traverses which happened in the heat of the War, be utterly deleted, they liked not so well, nor would condescend to but with cautelay limitations, yet in the end, things were so well concluded, that although the time limited to the Parliaments Commissioners for to Treat were but fourty dayes, nor had they any power to recede from any thing in the propositions, yet things seemed to go on so fairly, that the greatest obstacle was in that Proposition concerning Religion, about which the King by his Message of the 20. of November, acquaints the two Houses, That if they should not think fit to recede from the strictness of their demands in these particulars, hee could wish much more comfort cast himself upon his Saviours goodness to support and defend him from all afflictions that might befall him, then for any politick consideration, deprive himself of the inward tranquility of a quiet mind, wherefore as to those & other before mentioned particulars, he adhered to his former answers, hoping that the reasons therein specified would sufficiently satisfy, which reasons were by the Parliament referred to Mr. Marshall

The Civill Warres

1648.

Mr. *Vines*, Mr. *Caryl*, and Mr. *Seyman*, who spent a weeks debate with the King about them; Nor were the Army at first beginning of this Treaty, any way discontented at it, but seemed glad that there were any hopes of Peace, professing that they would obey the Acts of the two Houses, That publick peace would be welcome to them above all others, that being free from the toyls of War, they might settle their own private affairs, and after the end of their tedious labours, sit down to rest. But as the prevailing, or Army party in the House of Commons, were frighted into this Treaty by the general discontents of the most Counties in *England*, and the *Scottish* Invasion, so now these risings in *England* being quelled, *Cromwel* returned victorious from *Scotland*, and *Fairfax* out of *Essex* they began to be secure, and to expresse publique their disaffection to the Treaty, which appeared by the many petitions, by them set on foot, and presented as if subscribed by many thousand hands against it; Nor were the countries only set about this villanous work, but the Inferior Officers and common Souldiers, hold meetings and frame Petitions, desiring that the Treaty with the King might be broken off, and that Justice might be executed impartially on all, somewhat plainly Glancing at the Kings person, & soon after demanding their Arrears, which the Parliament fairly promise, notwithstanding which, come up half a dozen Officers, with the Armes large Remonstrance from their Head Quarters at *Windſor*, containing in the preamble, a large account of the miscarriages of the King and Parliament in former Treaties, and therefore urging reasons to lay aside any further proceedings in this, and to return to their votes of Non-Adresse, and so to settle the Government that he may be no more usefull; That the King might be proceeded against by way of Justice, for evils done by him, and that in order thereunto he be kept in safe custody; That the barganing Proposition with Delinquents be laid aside, which would present the thing as done by contract with the King and not in a way judicially; That a peremptory day be set for summoning the Prince of *Wales*, and Duke of *York*, and if they refuse to come in, to declare them incapable of Government or Succession, and stand exiled as Traitors, and if they should render themselves, yet to be proceeded against for satisfaction of evils done; and that the Revenues of the Crown might be Sequestred; That publique Justice might be done against all Actors in the late Wars, and that others upon submission might have mercy; That the Armes arrears might be paid, the Country eased of Free-quarter, publick debts discharged, an end put to this Parliament, and a new Representative of the People chosen, for the governing and preserving the whole body of the Nation; That no King might be admitted hereafter but upon Election of the people, and as upon trust for the people, who should likewise be limited by the Representative with many other strange demands, which extreamly startled the Parliament; But whilst they are debateing it, Col. *Ewers* by order from the General, seizes on the Person of the King, and carry him to *Hurst Castle*, a place of so noysome an Air, that the Guards cannot stay long there without changing; the news of this somewhat affrighted the two Houses, who immediately Voted That the seizing of his Person, and carrying him prisoner thither, was without their advice and consent, and write to the General, telling him, that his Orders and Instructions to Col. *Ewers* for securing the Kings person, were contrary to their Resolutions & Instructions to Col. *Hammond* and that it was the pleasure of the House, that his Excellency should recall his Orders, and that Col. *Hammond* should be free to take his charge in the *Isle of Wight*, the Treaty being ended. But the General in stead of yielding obedience

dience to their commands, demands the Arrears of the Army to be paid, telling them, That except he have present money, he must be forced to remove his Quarters and come nearer London; and to second this demand, comes forth a Declaration of the Army in confirmation of their late Remonstrance, which the Parliament refusing to take into consideration, they follow it up to London, the General taking up his Quarters at *Whit-hall*, and the rest of the Army about the *Mews*, *Westminster* and *St. James*, for whom the City is forced to raise fourty thousand pounds for the Armys present supply, yet notwithstanding the Armys seizing of the King and their coming in that manner, contrary to the votes and desires of the House, up to the City; the Parliament on the 4th. of December, proceed in further consideration of the Kings Answer, which they had on the 2^d. began first to debate of, when *Sr. Henry Vane junior*, a confident of the Armys, the time when the debate began, spoke thus, Mr. Speaker, *By this debate we shal know who are our friends and who are our foes, or to speak more plainly, we shal discover who are the Kings party in the House, and who are the peoples*: To which it was immediatly replied by another, that since that Gentleman was so bold to deal so, by way of prevention, in a threatening manner, and had fore-judged and divided the House into two parts; Hee hoped it was as lawfull for Him, who was no Gainer by the trouble, to put him in mind of another division of the House, which was, That he should find some desirous of peace, and they were Loosers, or at least no Gainers by the War; others against Peace, and these by the War had gained large Revenues, and therefore his Motion was, that the Gainers might contribute to the Loosers, and so all stand upon equal feet, for till then the ballance of the Common-wealth would never bend towards a right settlement. Thus they clashed together: but on the Monday following resuming their debate about the Kings Answer, whether his Concessions were satisfactory, or no? that Party which stood for the Army argued, that they were not satisfactory, because the King had not granted the Propositions *in Terminis*; but that was easily answered by some Members, who were honest, and inclined to an accomodation, by telling them, that those Propositions were not sent to his Majesty as Bills to be passed *in Terminis* without debate; but as Propositions to be personally treated on; That it was against the nature of all personal Treaties so to tie up the parties on either side, that there should be no liberty of recession, in any circumstance or particular, or that the Conditionations should not be satisfactory, though all things demanded were not absolutely granted; but *Mr. Pryne of Lincolns-Inne* finding, that these Debates were like to run into Cavils, stated the question more clearly thus, Whether the Kings final Answer to the Propositions of both Houses in this Treaty considered altogether, be not so full and satisfactory in themselves, that this House may, and ought to accept thereof, and proceed upon them for the speedy settlement of a safe and well-grounded peace both in Church and Common-wealth, rather than reject them as unsatisfactory, and so hazard the losse of all, and the perpetuating of our Wars and Miserie? This he urged in the Affirmative, and maintained it with so many solid reasons, that no man took upon him to oppose him: so it was put to the Vote, Whether this Question should be put? and the Yeas carried it, one hundred and forty, against one hundred and four, but the Vote it self; That the Answers of the King to the Propositions of both Houses were a ground for the Houses to proceed upon, for the settlement of the peace of the Kingdom, was carried in the Affirmative, without dividing the House; And *Sir John Evelyn*, *Sir Thomas Widdrington*

Mr.

The Civill Warres

Mr. Pierpoint, Mr. Ashurst, Mr. Maynard, Colloanel Birch, and Mr. Solicitour, were appointed a Committee to confer with the General for continuance of a good correspondence between them; but he afterwards having made them wait three or four hours, at length told them, That the way to correspond, was to comply with the Armies Remonstrance; And in pursuance of that Answer of his on *Wednesday* morning (till which time after their sitting up till *Tuesday* morning upon debate of the Kings Answers they had adjourned) Colloanel *Prides* and Colloanel *Riches* Regiments were lert to guard the Parliament, instead of the Trained Bands, who were removed; these having shut the doors of *Westminster-hall*, sent in a Paper to the Commons, requiring, That the eleven impeached Members, and Major General *Brown*, whom they alleged had invited in the *Scots*, might be secured and brought to justice, and that Ninety and odd Members, who refused to vote against the Scottish Invasion, and all that voted for re-calling the four Votes of Non Adresse, and all that voted for a Treaty, and concurred in the Vote of the fifth of *December*, That the Kings Concessions were a ground for a settlement, might immediatly be suspended the Houle, and that all such faithfull Members (so they called them) who were innocent of those Votes, would by Protestation acquit themselves from any concurrence in them that they might be distinguished. This paper they sent in, but not staying for an Answer, they beset the Lobby-Doors, and violently seized upon several Knights and Burgeses, above forty in all, and secured their persons, above one hundred more they denied entrance into the Houle, besides those who voluntarily withdrew to avoid their violence; so that the Houle was now made only a private Junctio of the Armies Creatures, who nevertheless to make a kind of a show to sustain the freedom and privileges of Parliament, sent several times to the General to know why he imprisoned their Members, and humbly beseeching him to set them at liberty if he had nothing against them; thereby, as it were acknowledging the Generals power and Jurisdiction over them; but the Members so secured and secluded, being really sensible of the horrid force and violence upon the Houle, contrary to the fundamental privileges of Parliament, on the 11th. of *December* published their Protestation against it, in these words, *We the Knights, Citizens and Burgeses of the Commons House of Parliament* (above one hundred in number) forcibly seized upon, and violently kept out of the House by the Officers and souldiers of the Army, under Thomas Lord Fairfax, coming thither to discharge their Duties on *Wednesday* and *Thursday* last, being the sixth and seventh of this instant *December*, do hereby in our Names, and in the Names of the respective Counties, Cities, and Boroughs for which we serve, and of all the Commons of England, solemnly protest and declare to the whole Kingdom, That this execrable force and open violence upon our persons, and the whole House of Commons, by the Officers and Army under their command, in marching up against their command, and placing strong Armed Guards of Horse and Foot upon them, without and against their Order, is the highest and most detestable force and breach of Priviledge and freedom ever offered to any Parliament of England; and that all Acts, Ordinances, Votes and proceedings of the said Houle, made since the sixth of *December* aforesaid, or hereafter to be made, during our Restraint and forcible seclusion from the Houle, and the continuance of the Armies force upon it, are no way obligatory, but null and void to all intents and purposes; And that all Contrivers and Actors in, or Assistants to this unparalell'd Force, and treasonable armed violence, are open Enemies to, and professed Subverters of the Priviledges, Rights, and

Free-

Freedom of Parliaments, and Disturbers of the Peace and Settlement of the Kingdom, and ought to be proceeded against as such; and that all Members of Parliament and Commons of England, by their solemn Covenant and Duty, under pain of deepest Perjury, and eternal Infamy, are obliged unanimously to oppose, and endeavour to their utter most power to bring them to exemplary and condign punishment for this transcendent Offence, tending to the dissolution of the present, and subversion of all future Parliaments, and of the Fundamental Government and Laws of this Realm. All which we held it our Duties to declare and publish to the World, for fear our stupid silence should give any tacite consent, or approbation of this most detestable crime, and make us guilty of betraying the Privileges, Freedom and Honour of this Parliament, to our perpetual reproach, and the prejudice of all succeeding Parliaments. This Protestation of these secluded Members was very much complained of by the Army, and by their command, the remaining part of the Commons having scared the Lords into a joynt consent with them, published a Declaration against the said Solemn Protestation of the secluded and secluded Members, judging and declaring it to be false, scandalous and seditious, and tending to destroy the visible and fundamentall Government of the Kingdom, and therefore they ordered and ordained it to be suppressed. Indeed the Army were now grown so insolent, that they not only took upon them to purge the House of Parliament, and permit none but those who were of the same factious Spirits with themselves to sit and vote there, but likewise took upon them the modelling of a New Government for the Nation, by reviving & enlarging a thing formerly presented by the Agitators in 1647. called *The agreement of the people*, for which one of them was then shot to death at *Ware*, the design not being the ripe: but now they publish it, containing a new Raplody of their own Inventions, that they having by their late labours made it appear at what rate they value their Freedom, and that God owning their cause, had delivered their demands into their Hands, they ought as bound in mutual duty to each other, to accord the danger of returning into a slavish condition, and another chargeable War, so that when their common rights should be cleared, their endeavours would be disappointed, who sought to be their Masters; That their troubles had been occasioned either by want of National meetings in Council, by the undue and unequal constitution of them or by rendring those meetings ineffectual; that therefore they were agreed to provide, that thereafter their Representatives should be neither unequally constituted, uncertain for the time, nor be made useless for the time for which they were intended; and to that end they did declare, That this Parliament should be dissolved the last day of *Apryl* next, That the Representatives of the whole Nation should consist of three hundred Persons; That the Electors should be Natives, such as had subscribed to this Agreement, such as were assessed for relief of the poor, men of one and twenty years of age, and House-keepers in that division, and that for seven years no person that had adhered to the King, or should oppose this Agreement, or not subscribe thereunto, should have voice in the Election, that after fourteen years such persons might be elected that had voice in Elections and that for the present none should be capable of being chosen, who had not voluntarily assented against the King, either before *June* 1645 or in *Money*, *Plate*, or *Arms* lent upon the propositions in *May* 1643. or had abetted the reasonable design in *London*, 1647. or declared for a Cessation of Arms with the *Scots*, or engaged in the last Summers War against the Parliament; That whosoever was incapable by the former Rules, and yet should vote in Elections, or sit in Representative

The Civill Warres

1648.

representative, should loose the moiety of his Estate, having above fifty pounds *per annum*, but if under, then endure three months imprisonment; and if any should oppose the Elections, to loose his whole Estate, or endure a years imprisonment, if under fifty pounds *per annum*, That one hundred and fifty Members at least, should make an Act of Law, and these should within twenty dayes after their first sitting, appoint a Council of State to continue untill the next Representative, and the Council to act as they should direct by Instructions; That no Officer of State, Treasurer or Receiver, (while such) shal be a Member of a Representative; That no Lawyer shal practice while he is of any representative, or Council of State; That the Representative only, without the consent of other persons, shal enact, alter, repeal, and declare any Laws to the erecting and abolishing of Officers of courts of Justice; yet the Representative to be limited by these Exceptions, That they should not compel tender Consciences in matters of Religion or Worship, That they should not presse any person to serve in War by Land or Sea; That no person after the dissolution of the present Parliament, should bee questioned concerning the late War, otherwise than in Execution or pursuance of the determinations of the present house of Commons, against such as have adhered to the King, and also Accomptants for money; That all manner of persons should be subject to the publick Laws, and such as had the priviledge to be nulled, and none priviledged hereafter, That the Representatives should not meddle with the execution of Laws, nor giving judgement upon any mans Person, That no Representative should take away common Right, or level mens Estates, destroy Proprieties, or make all things common. These were the Exceptions, then they continue, That the Council of state in case of danger, for a Session of fourty dayes, and to dissolve two months before the next appointed Representative; That the publick Faith of the Nation should be made good, save that the next Representative might continue or nul all gifts of money made by the present House of Commons, to themselves or any Lords; That if any Officer or Leader in the Army, or any Garison, should resist the Order of any Representative, he should forthwith loose the protection of the Law, and dye without mercy. Thus without any colour or right they had agreed and declared to take away the Fundamental Government of England, by King, Lords & Commons, and to establish what new fangled Fancies their Ambitious Brains dictated unto them: But this took yet no effect, being looked upon as meere *Chimera*, though Mr. *William Ashurst* took the pains to answer it. But the Army needed no new Representative, when they modelled this Parliament, so as they knew well they would act nothing but as they were dictated by them; which appeared sufficiently by their Votes of the 12. and 13. of December, That the vote of the House, January 3. 1647. for revoking the Order for suspending Commissary *Lionell Copley*, and the rest of the 11. impeached Members, September. 9. 1647. from being Members of the House, was of dangerous consequence, & tending to the destruction of the Justice and peace of the Kingdom, and was therefore hereby repealed; That the Vote of the House of the 30. June 1648. whereby the House did concur with the Lords for the opening of the way to a Treaty with his Majesty for a safe and wel grounded peace, be null and void, That the taking off the Votes of the third of January, 1647. forbidding all addresse to be made to, or received from the King, were highly dishonourable to the proceedings of Parliament, and apparently destructive to the good of the Kingdom; The like was also now Voted of that Vote for the Treaty at *Newport*, and the votes of Non-addresse to the King

King were revived, and several of the impeached and secluded Members secured and sent to several prisons, as Major General *Brown*, Sheriff of London, Sir John *Clotworthy*, Sir *William Waller*, Major General *Massey*, Commissary *Copley*, and others. The King in the mean time was in a most disconioiate condition being seized upon by the Army against the Faith given him by the two Houses, that he should treat with Freedom, Honour, and safety, whereas he now perceived by the Armies Remonstrance and Declarations that they had designed him a Sacrifice to their barbarous Cruelty, which yet they would cloak under a Coverlet of Justice, By bringing him to Tryal as they declared in their Remonstrance; upon which his Majesty made these Queries, Whether this Remonstrance were agreeable to the former Declarations of the Army? and if not, Whether the Parliament would make good their Vores, that after hee had consented to what they had desired, he should be in a capacity of Honour, Freedom and Safety? Whether his acknowledgement of the guilt of the blood that hath been spilt in the late Wars, nothing being as yet absolutely concluding or binding, could be urged so far as to be made use of by way of evidence against him, or any of his party? Whether the Arguments that he hath used in a free and personal Treaty to lessen or extenuate, and avoid the exactness of any of the conditions, though in manner and form only might be charged against him, as an Act of Obstinate or wilfull persistence in what is alledged against him, in that he goes on in a destructive course of emnity against his people, and the Laws of the Land, when he hath declared that his conscience was not satisfied concerning divers particulars in the Propositions; And lastly, whereas by the Letter of the Law all Persons charged to offend against Law, ought to be tried by their Peers and Equals, what the Law is, if the Person questioned is without Peer? and if the Law, which of it self is but a dead letter, seems to condemn him, by what power judgement should be given? and who should give it? or from whence should the administrators of such justice derive their power, which may (by the same Law) be deemed the Supreme Power & Authority of Magistracy in the Kingdom? These Queries the King propoled concerning the Armies intended Tryal of him; but it was in vain to dispute Reason with them, who had no other Law but their Wills, nor Power but their Swords; yet the King at his being forcibly hurried out of the *Isle of Wight* had framed this Declaration, which he commanded one of his servants to see published, for the satisfaction of all his Subjects.

WHen large pretences prove but the shadows of weak performances; then the greatest labours produce the smallest effects, and where a period is put to a work of great concernment, all mens ears do as it were hunger till they are satisfied in their expectations: Hath not this distracted Nation groaned a long time under the burden of Tyranny and oppression? And hath not all the blood that hath been spilt these seven years been cast upon my head, who am the greatest sufferer, though the least guilty; And was it not requisite to endeavour the stopping of that Flux, which if not stopp'd, will bring an absolute destruction to this Nation? and what more speedy way was there to consummat these distractions, than by a personal Treary, being agreed upon by my two Houses of Parliament and condescended to by me? & I might declare, that I conceive it had been the best Physick, had not the operation been hindered by the interposition of this imperious Army, who were so audacious as to stile me in their unparallel'd Remonstrance, their *Capital Enemy*, but let the world judge whether mine endeavours have

The Civill Warres

have not been attended with reality in this late Treaty, and whether I was not as ready to grant as they were to ask, and yet all this is not satisfaction to them who pursue their own ambitious ends, more then the welfare of a miserable Land; Were not the dying hearts of my poor distressed people much revived with the hopes of a happinesse from this Treaty? and how suddenly are they frustrated in their expectations! have I not formerly been condemned for yielding too little to my two Houses of Parliament? And shal I now be condemned for yielding too much? Have I not formerly been impudenced for making War? and shal I now be condemned for making peace? Have I not formerly ruled like a KING? and shal I now be ruled like a Slave? have I not formerly enjoyed the Society of my dear Wife and Children? and shal I now neither enjoy them nor peace have not my Subjects formerly obeyed me? and shal I now be obedient to my Subjects? have I not been condemned for evil Counsellors? and shal I now bee condemned for having no Council but God? These are unutterable Mileries! that the more I endeavour for peace, the lesse my endeavours are respected, and how shal I know hereafter what to grant, when you your selves know not what to ask? I refer it to your Consciences whether I have not satisfied your desires in every particular since this Treaty? if you find I have not, then let me bear the burthen of the fault, but if I have given you ample satisfaction (as I am sure I have) then you are bound to vindicate me from the fury of those whose thoughts are filled with blood; though they pretend zeal, yet they are but Wolves in Sheeps cloathing. I must further declare, that I conceive there is nothing can more obstruct the long hoped for peace of this Nation, than the Illegal proceedings of them who presume from servants to become Masters, and labour to bring in Democracy, and to abolish Monarchy. Needs must the total alteration of Fundamentals bee not only destructive to others, but in conclusion to themselves, for they that endeavour to rule by the Sword, shal in the end fall by it, for Faction is the Mother of ruine, and it is the humour of those who are of this Weather-cock-like disposition, to love nothing but mutabilities, neither will that please them but only *pro tempore*, for the too much variety doth but confound the fences, and make them still hate one folly and fall in love with another. Time is the best cure for Faction, for it will atlength (like a spreading Leprosie) infect the whole body of the Kingdom, and make it so odious, that at last they will hate themselves for love of that, and like the Fish, for love of the bait, be caught with the Hook. I once more declare to all my loving Subjects, and God knows whether or no this may be my last, that I have earnestly laboured for peace, and that my thoughts were sincere and absolute without any sinister end, and there was nothing left undone by me, that my Conscience would permit me to do. And I call God to witnesse, that I do firmly conceive, that the interposition of the Army (that Cloud of Malice) hath altogether eclipsed the glory of that Peace, which began again to shine again in this Land. And let the World judge, whether it be expedient for any Army to contradict the Votes of a Kingdom, endeavouring, by pretending for Laws and Liberties to subvert both; such Actions as these must produce sad consequences, and set open the Flood-gates of Ruine to overflow this Kingdom in a moment. Had this Treaty been only mine own seeking, then they might have had fair pretences to have stopped the course of it, but I, being importuned by my two Houses, and they by most part of the Kingdom, could not but with a great deal of Alacrity concur with them in their Desires for the performance of so commodious a work, and I hope by this time, that the eyes and hearts of my People are open

open so much; that they plainly discover who are the Underminers of this Treaty. For my own part I protest before the face of Heaven, that my own Afflictions (though they need no addition) afflict me not so much as my peoples Sufferings, for I know what to trust to already, and they knew not, God comfort both them & me, & proportion our patience with our sufferings! And when the malice of my Enemies is pun out to the smallest thred, let them know, that I will by the grace of God be as contented to suffer, as they are active to advance my sufferings; and my own soul tells me, that the time will come that the very clouds shal drop down vengeance upon the very Heads of those that barricado themselves against the proceedings of peace, for if God hath proclaimed a blessing to the Peace-makers, needs must the Peace breakers draw down curses upon their Heads. I thank my God I have armed myself against their Fury, and now let the Arrows of their Envy flee at me, I have a breast to receive them, and a Heart posselt with patience to sustain them, for God is my Rock and my Shield, therefore I will not fear what man can do unto me. I will expect the worst, and if any thing happen beyond my expectation, I will give God the Glory, for vain is the help of man.

Such Kingly resolutions now had his Majesty in the time of his greatest Adversities resolving to bear nobly the unjust Malice of the Army, who were still plotting to take away his innocent life, which it seems they had once attempted to do by poyson or pistol, as appears by *Osburns* information by Letter to the Lord *Wharton* the first of June 1648 acquainting his Lordship, That upon private conference with Captain *Rolfe* (a man very intimate with Colonel *Hammond*, and in high esteem with the Army) the said *Rolfe* told him, that to his knowledge *Hammond* had received several Letters from the Army, advising him to remove the King out of the way, by poyson, or any other means, for it would much conduce to their Affairs. Which *Hammond*, loath to loose so beneficial an employment, refused or neglected to do. But said *Rolfe*, if you will joyn with mee, we will endeavour to convey away the King to some private place, where they might do what they would with him; This information *Osburn* affirmed he would come up, and justifie upon Oath, if he might have safe conduct to go and come; but the Lord *Wharton*, in stead of communicating this Letter to the House, sent it to *Hammond*, and *Osburn* finding there was nothing in the business, seconds that Letter with two others, one to the Speaker of the House of Lords, and the other to the Speaker of the Commons the 10. of June: that to the commons, the Speaker one day in a thin House acquainted them with it, withal telling them, that he had received a letter from *Osburn*, one that had projected to deliver the King out of the hands of Col. *Hammond*, & that he conceived, that it tended only to the setting them together by the ears, & therefore propounded, whether it should be read or no? Some were against the reading, but the major part of them voting in the Affirmative, it was read, but passed over without debate, till the House of Lords taking it to consideration, sent a Message to the Commons, desiring that *Osburn* might have forty dayes time to go and come to justifie his Accusation, which he had and did, and *Rolfe* likewise appeared at the Bar of the House, with a Letter of Vindication from Colonel *Hammond*, Though one *Dowcet* likewise affirmed, that the said *Rolfe* had a design to Pistol his Majesty; In Sum, though *Rolfe* was committed to prison, yet such were the earnest endeavours of the Independent party for him, that at the Grand Jury at *Southampton*, whither a Judge was sent down on purpose, the Information was found *Ignoramus*; this was before the Treaty: after its breaking off, that other

The Civil Warres

1648.

of seizing the Kings Person by the Generals Order, and conveying him close Prisoner to *Hurst Castle*, that the Pestilential air of the place might bring him to his end, was found out, but that not prevailing, they most impudently resolve to bring him to death by Law, a thing never before heard of, that Kings were ever legally murdered : but of that hereafter. Let us now return a little to the Army, who being quartered about the City, the General finding the Citizens somewhat backward in raising the forty thousand pounds to be advanced for the Armes Arrears, lends Col. *Dean* with two Regiments of Foot, and some Troops of Horse, who took up their Quarters in *St. Pauls Church*, which they made a stable of, (blessed Reformation !) and *Black-friers*, and from thence went in parties to *Weavers, Haberdashers* and *Goldsmiths Halls*, where they seized upon the Treasuries, taking twenty thousand pounds out of the first, the remainder of two hundred thousand pounds, which when the two Speakers fled to the Army, was by that part which remained of the two Houses, Voted to be brought in thither, for the raising of an Army under the Lord *Willoughby of Parham*, General, and Sir *John Maynard*, Lieutenant General, for the reducing of that Army under *Fairfax* to obedience, which yet the General was now so civil, as to acquaint the Lord Mayor and Aldermen by Letter, should be repaid when the Arrears due to the Army from the City, were brought in ; what the exact Sums were that they took from the other two Halls, I find not, but these were the places which the Kings friends and servants were forced to passe through before they could be purged from their Delinquency, and hard portions they were forced to digest, for besides the payment of their Compositions, at two, three, four, five, six or seven years purchase, according as the Committee at *Goldsmiths Hall* found fitting ; they were not admitted to Treat with the Committee before they brought Certificates (unless they were privileged and exempted by Articles) that they had taken the Negative Oath. either before the Committee for the Militia of *London*, or some Committee in the Country where they dwell, by which Oath they were made to swear, That they would neither directly nor indirectly adhere unto, or willingly assist the King in that War, or in that Cause against his Parliament, nor any forces raised without the consent of the two Houses in that cause and War. Nor were they only enforced to take the said Negative Oath, but likewise the Solemn League and Covenant, by which they were bound to endeavour the extirpation of Popery and Prelacy, &c. but if the Party to compound were a Roman Catholick it went far worse with him, for he was enforced to take an Oath of Abjuration before any Sequestration could be taken off, by which they were to swear, That they abjured and renounced the Popes Supremacy, That they believed there was not any Transubstantion nor Purgatory, nor any Worship to be given to the consecrated Host, Crucifix or Images, and that Salvation could not be merited by works, renouncing and abjuring all Doctrines in defence of those points : so that some chole rather to lose their Estates, than relinquish that Religion, which they had been educated in, and were fully perswaded to be true, but some other thought it better to trust their Souls to God, than submit their Lives and Estates to the mercy of such mercylese men ; nor was the taking of these Oaths and Covenants all they under-went, for before they could be admitted to composition in *Goldsmiths-Hall*, they must passe through *Haberdashers*, and there pay one twenty fifth part of their whole Estates, both real and personal, nor did this extend only to such persons who had actually assisted the King, but likewise all such who had not voluntarily assisted the Parliament.

so

So that the sums raised in these two Halls must needs be incredible; but the Souldiers now being earnest in their businesse, not only went to the Halls, but seized on the Treasury, which caused a great hubbub for the present, but the Mistake was excused; The Common-Council upon the seizing of their Treasuries immediately met and sent word to the General, That they would with all possible speed expedite the raising of the 40000 pound, and discharge the money taken from the Receivers of the Halls, halften the collection of the rest of the Arrears of the Army, and discharge some of the Armies Engagements, for moneys borrowed, if the General would that night remove his Army out of the City; but notwithstanding their so ready compliance, instead of drawing those out, more Forces are sent in and quartered in the Innes, Saint Pauls Church made a Garrison in the heart of the City, and continued so, and withall an expresse command, that the money promised should be ready in fourteen dayes; thus calmly were the City content to be enslaved. The Courts at Westminster-Hall (suffering a failer of Judges, the Parliament this year first took upon them the calling of Serjeants at Law; thole who they called to the Bar were. Sir Thomas Widdrington, Sir Thomas Bedinfield, Mr. Keeble, Mr. Thorp, and Mr. Bradshaw, out of Greys-Inne; Mr. Sollicitor Gen. John, Mr. Samuel Brown, Mr. Recorder Glyn, and Mr. Erle, out of Lincolns-Inne; Mr. Whitlock, Mr. Coniers, and Mr. Puleston, out of the Middle-Temple: and Mr. Chapman, Mr. Gales, and Mr. William Littleton, out of the Inner-Temple; and not long after out of the severall Innes of Court, Mr. William Powell, and Mr. John Clerk, Mr. John Eltonheard, Mr. Robert Nichols, Mr. John Parker, Mr. Robert Bernard, were made Serjeants at Law. But now draw we near to the saddest Scene of this Tragick History; the Tryal and Death of our blessed Sovereign CHARLES the First of Glorious memory, whose Death the Grandees in Parliament and Army had long since resolved on; but their Design was but now ripe; a Resolution it was which amazed all the Christian World, and of which past Ages had never any President, nor may future take example by it, to bring a KING, a JUST KING, and a KING who prized his Subjects Liberty and welfare, before his Life, to be adjudged by his Subjects, and condemned to die by a pretended Legality. But to proceed to our Story.

CHAP. LXX XV.

The King brought to Windsor; Ordinance of Parliament for his Tryal; Sentence of Death pronounced against Him, by the pretended High Court of Justice; His Murder.

THE Army having thus ejected the greatest part of the House of Commons, and brought the rest, whom they permitted to sit, so to their Bow, that they acted nothing but by their Dictats, and in pursuance of their Designs, which were to subvert Monarchy, and bury it in one Grave with the King, according as they had expressed in their unparallel'd Remonstrance, (as the King called it) had now contrived with their Juncto, how to bring his Majesty to his end, which they at length resolved to do with a strange and un-heard of kind of Impudence, in a pretended way of Justice, and in the Name of the whole people of England, the hundredth part of whose consents they never asked; This they thought better than their once intended design of poisoning him in Carisbrook Castle, and they found that the ill and nauseous Air of Hurst Castle, whither

1648.

ther since the breaking off the Treary, they had clapt him up close Prisoner, denying him the liberty of writing to the Queen, or Prince, or having any of his Chaplains to attend him, effected not what they desired, they conveyed him with strong Guards to *Windſor* in order to his intended Tryal, denying him now the usual Ceremony of the Knee, and almost the common civility of the Hat, whilst their Juncto in Parliament proceed to Votes in order to his Tryal; and first declare; That by the Fundamentall Laws of the Land it was Treason in the King of *England* for the time to come to leavy War against his Parliament and Kingdom; And to proceed in their Intentions, order *Dr. Dorislaus*, *Mr. Aske*, and Solicitour *Cooke*, to draw up a Charge against the King, and by their Ordinance of the sixth of *January* appoint severall persons to sit as a High Court of Justice for Tryal of the King; a Court never heard before of in *England*, having before in vindication of their power, to do it, resolved into a Grand Committee, and declared; That the people under God, are the Original of all Just power; That the Commons of *England* assembled in Parliament, being chosen by, and representing the People, have the Supream Authority of the Nation; That whatsoever is enacted and declared for Law by the Commons of *England* assembled in Parliament, hath the force of a Law; That all the people of this Nation are included thereby, although the consent of the King and Houle of Peers be not had thereunto; That to raise Armes against the peoples Representative, is Treason, and to make War upon them is High Treason; That the King himself took Armes against the Parliament, and on that account was guilty of the Blood-shed throughout the Civil War, and that he ought to expiate the Crime with his own Blood. Thus the Members take counsel against the Head, whose Destruction they had resolved, and therefore their Commissioners for the Tryal of the King met in the Painted Chamber, on the eighth of *January*, resolving, That *Westminster-Hall* should be the place for his Tryal, and ordering that Proclamation should be made, That whoever had any thing to say against the King should be heard; so many witnesses, persons of no note nor rank, came or were brought in to testifie against him. And thus went his Tryal forward, though the Lords dissented, the *Scots* Commissioners protested against it, and the people generally murmured, and the Presbyterians now in their Pulpits declared against it, when too late, for on the 20th. of *January* the High Court, so called, sate, and convened the King before them, *John Bradshaw* lately made Serjeant at Law, being seated as President, whose seared Conscience had given him so much impudence as to presume to judge his Sovereign. The King being from *St. James* conveyed with strong Guards to the Hall, and seated himself in a Chair placed on purpose; after the reading the Ordinance for his Tryal, the President made a short Speech, telling his Majesty, That the Commons of *England* assembled in Parliament, being deeply sensible of the calamities which had been brought upon the Nation, which were fixed upon him as the principal Author of it, had resolved to make inquisition for Blood, and according to the Debt and Duty they owed to God, to Justice, to the Kingdoms, and themselves, and according to the Fundamental power that rested in themselves, they had resolved to bring him to Tryal and Judgement, and had for that end constituted the High Court of Justice, before which he was now brought. This done, *Mr. Cook* the Solicitour desired the Charge against the King might be read, which was done by the Clerk of the Court in these words,

The

*The Charge of the Commons of England against Charles Stuart King of England,
of High Treason, and other High Crimes, &c.*

1648.

THat the said *Charles Stuart* being admitted King of *England*, and therein trusted with a Limited power to govern by, and according to the laws of the Land, & not otherwise, & by his Trust, Oath and Office, being obliged to use the power committed to him, for the good and benefit of the People, and for the preservation of their Rights and Liberties; yet nevertheless out of a wicked Design to erect, & to uphold in himself an unlimited and Tyrannical power, to rule according to his Will, and to overthrow the Rights and Liberties of the people, yea to take away and make void the foundations thereof, and of all redresse and remedy of Mis-government, which by the Fundamental Constitutions of this Kingdom were reserved on the peoples behalf, in the right and power of frequent and successive Parliaments, or National meetings in Council; He the said *Charles Stuart* for accomplishment of such his Designs, and for the protecting of himself and his Adherents in his and their wicked practices, to the same ends hath traitterously and maliciously leaved War against the present Parliament, and the people therein represented; Particularly, upon and about the thirtieth day of *June*, in the year of our Lord One Thousand six Hundred Forty and Two, at *Beverly* in the County of *Tork*; and upon or about the 30th day of *July*, in the year aforesaid, in the County of the City of *Tork*; and upon or about the 24th day of *August* in the same year, at the County of the Town of *Nottingham*, when and where he set up his Standard of War; and upon or about the 23^d day of *October*, in the same year at *Edge-hill* and *Keinton-field*, in the County of *Warwick*; and upon or about the 30th day of *November*, in the same year, at *Brainford*, in the County of *Middlesex*; and upon or about the 30th day of *August*, One Thousand six Hundred Forty and Three, at *Caveham* Bridge, near *Reading*, in the County of *Berks*; and upon or about the 30th day of *October*, in the year last mentioned, at or near the City of *Glocester*; and upon or about the 30th day of *November*, in the year last mentioned, at *Newbury*, in the County of *Berks*; and upon or about the 31st day of *July*, in the year of our Lord, One Thousand Six Hundred Forty and Four, at *Cropley*-Bridge, in the County of *Oxon*; and upon or about the 30th day of *September*, in the year last mentioned, at *Bodmin*, and other places adjacent, in the County of *Cornwall*; and upon or about the 30th day of *November*, in the year last mentioned, at *Newbury* aforesaid; and upon or about the 8th of *June*, in the year of our Lord, One Thousand Six Hundred Forty and Five, at the Town of *Leicester*, and also upon the 14th day of the same Month, at *Naseby-field*, in the County of *Northampton*; at which said several times and places, or most of them, and at many other places in this Land, at several other times, within the years aforesaid; and in the year of our Lord, One Thousand Six Hundred Forty and Six, He the said *Charles Stuart* hath caused and procured many thousands of the Free-born people of the Nation to be slain, and by Divisions, Parties, and Insurrections within this Land, by Invasion from Foreign parts, endeavoured and procured by Him, and by other evil ways and means; He the said *Charles Stuart* hath not only carried on the said War by Land and Sea, during the years before mentioned, but also hath renewed, or caused to be renewed the said War against the Parliament, and good people of this Nation

1648.

ther since the breaking off the Treaty, they had clapt him up close Prisoner, denying him the liberty of writing to the Queen, or Prince, or having any of his Chaplains to attend him, effected not what they desired, they conveyed him with strong Guards to *Windſor* in order to his intended Tryal, denying him now the usual Ceremony of the Knee, and almost the common civility of the Hat, whilst their Juncto in Parliament proceed to Votes in order to his Tryal; and first declare; That by the Fundamentall Laws of the Land it was Treason in the King of *England* for the time to come to leavy War against his Parliament and Kingdom; And to proceed in their Intentions, order *Dr. Dorislaus*, *Mr. Aske*, and *Sollicitour Cooke*. to draw up a Charge against the King, and by their Ordinance of the sixth of *January* appoint severall persons to sit as a High Court of Justice for Tryal of the King; a Court never heard before of in *England*, having before in vindication of their power, to do it, resolved into a Grand Committee, and declared; That the people under God, are the Original of all Just power; That the Commons of *England* assembled in Parliament, being chosen by, and representing the People, have the Supream Authority of the Nation; That whatsoever is enacted and declared for Law by the Commons of *England* assembled in Parliament, hath the force of a Law; That all the people of this Nation are included thereby, although the consent of the King and Houle of Peers be not had thereunto; That to raise Armes against the peoples Representative, is Treason, and to make War upon them is High Treason; That the King himself took Armes against the Parliament, and on that account was guilty of the Blood-shed throughout the Civil War, and that he ought to expiate the Crime with his own Blood. Thus the Members take counsel against the Head, whose Destruction they had resolved, and therefore their Commissioners for the Tryal of the King met in the Painted Chamber, on the eighth of *January*, resolving, That *Westminster-Hall* should be the place for his Tryal, and ordering that Proclamation should be made, That whoever had any thing to say against the King should be heard; so many witnesses, persons of no note nor rank, came or were brought in to testify against him. And thus went his Tryal forward, though the Lords dissented, the *scots* Commissioners protested against it, and the people generally murmured, and the Presbyterians now in their Pulpits declared against it, when too late, for on the 20th. of *January* the High Court, so called, sate, and conveyed the King before them, *John Bradshaw* lately made Serjeant at Law, being seated as President, whose seared Conscience had given him so much impudence as to presume to judge his Sovereign. The King being from *St. James* conveyed with strong Guards to the Hall, and seated himself in a Cair placed on purpose; after the reading the Ordinance for his Tryal, the President made a short Speech, telling his Majesty, That the Commons of *England* assembled in Parliament, being deeply sensible of the calamities which had been brought upon the Nation, which were fixed upon him as the principal Author of it, had resolved to make inquisition for Blood, and according to the Debt and Duty they owed to God, to Justice, to the Kingdoms, and themselves, and according to the Fundamental power that rested in themselves, they had resolved to bring him to Tryal and Judgement, and had for that end constituted the High Court of Justice, before which he was now brought. This done, *Mr. Cook* the Solicitour desired the Charge against the King might be read, which was done by the Clerk of the Court in these words,

The

*The Charge of the Commons of England against Charles Stuart King of England,
of High Treason, and other High Crimes, &c.*

1648.

THat the said *Charles Stuart* being admitted King of *England*, and therein trusted with a Limited power to govern by, and according to the laws of the Land, & not otherwise, & by his Trust, Oath and Office, being obliged to use the power committed to him, for the good and benefit of the People, and for the preservation of their Rights and Liberties; yet nevertheless out of a wicked Design to erect, & to uphold in himself an unlimited and Tyrannical power, to rule according to his Will, and to overthrow the Rights and Liberties of the people, yea to take away and make void the foundations thereof, and of all redresse and remedy of Mis-government, which by the Fundamental Constitutions of this Kingdom were reserved on the peoples behalf, in the right and power of frequent and successive Parliaments, or National meetings in Council; He the said *Charles Stuart* for accomplishment of such his Designs, and for the protecting of himself and his Adherents in his and their wicked practices, to the same ends hath traitorously and maliciously leaved War against the present Parliament, and the people therein represented; Particularly, upon and about the thirtieth day of *June*, in the year of our Lord One Thousand six Hundred Forty and Two, at *Beverly* in the County of *York*; and upon or about the 30th day of *July*, in the year aforesaid, in the County of the City of *York*; and upon or about the 24th day of *August* in the same year, at the County of the Town of *Nottingham*, when and where he let up his Standard of War; and upon or about the 23^d day of *October*, in the same year at *Edge-hill* and *Keinton-field*, in the County of *Warwick*; and upon or about the 30th day of *November*, in the same year, at *Brinsford*, in the County of *Middlesex*; and upon or about the 30th day of *August*, One Thousand six Hundred Forty and Three, at *Cavesham* Bridge, near *Reading*, in the County of *Berks*; and upon or about the 30th day of *October*, in the year last mentioned, at or near the City of *Gloster*; and upon or about the 30th day of *November*, in the year last mentioned, at *Newbury*, in the County of *Berks*; and upon or about the 31st day of *July*, in the year of our Lord, One Thousand Six Hundred Forty and Four, at *Cropley*-Bridge, in the County of *Oxon*; and upon or about the 30th day of *September*, in the year last mentioned, at *Bodmin*, and other places adjacent, in the County of *Cornwall*; and upon or about the 30th day of *November*, in the year last mentioned, at *Newbury* aforesaid; and upon or about the 8th of *June*, in the year of our Lord, One Thousand Six Hundred Forty and Five, at the Town of *Leicester*, and also upon the 14th day of the same Month, at *Nasby-field*, in the County of *Northampton*: at which said several times and places, or most of them, and at many other places in this Land, at several other times, within the years aforesaid; and in the year of our Lord, One Thousand Six Hundred Forty and Six, He the said *Charles Stuart* hath caused and procured many thousands of the Free-born people of the Nation to be slain, and by Divisions, Parties, and Insurrections within this Land, by Invasion from Foreign parts, endeavoured and procured by Him, and by other evil wayes and means; He the said *Charles Stuart* hath not only carried on the said War by Land and Sea, during the years before mentioned, but also hath renewed, or caused to be renewed the said War against the Parliament, and good people of this

Nation

The Civill Warres

Nation in the present year, One Thousand Six Hundred Forty Eight, in the Counties of *Kent, Essex, Surrey, Sussex, Middlesex*, and many other Counties and places in *England and Wales*, and also by Sea and Land; particularly, He the said *Charles Stuart* hath for that purpose given commission to his Son, the Prince, and others, whereby, besides multitudes of other persons, many such as were by the Parliament entrusted and employed for the safety of the Nation, being by him, and his Agents corrupted to the betraying of their Trust, & revolting from the Parliament, have had entertainment & commission, for the continuing & renewing of the War and Hostility against the said Parliament and people, as aforesaid. By which cruel & unnatural Wars, by Him, the said *Charles Stuart* levyed, continued and renewed as aforesaid, much innocent blood of the Free-born people of the Nation hath been spilt, many Families undone, the publik Treasury wasted and exhausted, Trade obstructed and miserably decayed, vast expence and dammage to the Nation incurred, and many parts of the Land spoiled, some of them even to desolation: And for further prosecution of His said evil designs, hee the said *Charles Stuart* doth still continue his Commissions to the Prince and other Rebels & Revolters, both English and Forreiners, and to the Earl of *Ormond* and to the Irish Rebels and Revolters, associated with him, from whom further invasions upon this Land are threatned, upon the procurement, and on the behalf of the said *Charles Stuart*: All which wicked Designs, Wars, and evil practises of Him the said *Charles Stuart*, have been and are carried on for the advancing and upholding of the personal interest of Will and Power, and pretended prerogative to himself and his Family, against the Publick interest, Common right, Liberty, Justice, and peace of the People of this Nation, by, and for whom he was entrusted, as aforesaid. By all which it appeareth, That he the said *Charles Stuart* hath been, and is the Occasioner, Author, and Contriver of the said unnatural, cruel and bloody Wars, and therein guilty of all the Treasons, Murthers, Rapines, Burnings, Spoils, Desolations, Dammage and Milchief to this Nation acted or committed in the said Wars, and occasioned thereby. And the said *John Cook* by protestation, (saying on the behalf of the People of *England*, the liberty of exhibiting at any time hereafter, any other Charge against the said *Charles Stuart*, and also of replying to the answer which the said *Charles Stuart* shall make to the premisses, or any of them, or any other Charge that shall be so exhibited) doth for the said Treasons and Crimes, on the behalf of the people of *England*, impeach the said *Charles Stuart*, as a Tyrant, Trator, Murtherer, and a publick and implacable Enemy to the Commonwealth of *England*, and pray, That the said *Charles Stuart* King of *England* may be put to answer all and every the Premises; That such Proceedings, Examinations, Tryals, Sentence and Judgement may be had thereupon as shall be agreeable to justice.

The King during the reading of the charge sat in his chair, looking very stedfastly, till the reading of these words, *Tyrant, Traytor, and Murtherer*, but the Clerk having read the charge, *President Bradshaw* stood up and told the King, That he heard what matters the charge contained, and that the Court expected his answer to it; but the King knowing by what power he was entrusted with the Government of these Nations, viz. By God alone; and that no Parliament, Committee, or council of men whatsoever could call him to account, being their King, made inquisition into the authority of the Court, and refused to own their Jurisdiction, urging, that he might have liberty to shew

of Great Britain and Ireland.

shew his Reasons why he could not condescend to submit to their power; which though *Bradshaw* permitted him not to speak, yet were they preserved in writing, and ran thus :

1648.

HAVING already made my Protestations not only against the illegality of this pretended Court, but also that no earthly power can justly call me (who am your King in question as a Delinquent, I would not any more open my mouth upon this occasion, more than to refer my self to what I have spoken, were I in this case alone concerned. But the duty I owe to God in the preservation of the true liberty of my people, will not suffer me at this time to be silent; for how can any free-born Subject of *England*, call life or any thing he possesseth his own, if power without right daily make new, and abrogate the Old fundamental Law of the Land? which I now take to be the present case: Wherefore when I came hither, I expected that you would have endeavoured to have satisfied me, concerning those grounds which hinder me to answer to your pretended impeachment, but since I see that nothing I can say will move you to it (though negatives are not so naturally proved as affirmatives) yet I will shew you the reason why I am confident you cannot judge me, nor indeed the meanest man in *England*; for I will not, like you, without shewing a reason, seek to impose a belief upon my Subjects. There is no proceeding Just against any man, but what is warranted by the Laws of God, or the municipal Laws of the Country where he lives, now I am most confident this dayes proceeding cannot be warranted by Gods Law, for on the contrary the authority of obedience unto Kings is clearly warranted, and strictly commanded both in the Old and New Testament, which if denied, I am ready instantly to prove. And for the question in hand, there 'tis said, *That where the word of a King is, there is power, and who may say unto him, what dost thou?* Eccl. 8. 4. Then for the Law of the Land, I am no no lesse confident that no learned Lawyer will affirm that an impeachment can lie against the King, they all going in his name; and one of their Maxims is, *That the King can do no wrong.* Besides, the Law upon which you ground your proceedings must either be old or new, it old, shew it: if new, tell what authority warranted by the Fundamental Laws of the Land hath made it, and when: But how the House of Commons can erect a Court of Judicature, which was never one it self, (as is well known to all Lawyers) I leave to God and the World to judge. And it were full as strange, that they should pretend to make Laws without King or House of Lords, to any that have heard speak of the Laws of *England.* And admitting, but not granting that the people of *Englands* Commission could grant your pretended power, I see nothing you can shew for that, for certainly you never asked the question of the tenth man in the Kingdom, and in this way you manifestly wrong even the poorest Ploughman, if you demand not his free consent, nor can pretend any colour for this your pretended Commission, without the consent at least of the Major part of every man in *England*, of whatsoever quality or condition, which I am sure you never went about to seek: so far are you from having it. Thus you see that I speak not for my own right alone, as I am your King, but also for the true liberty of all my Subjects, which consists not in the power of Government, but in the living under such Laws, such a Government, as may give themselves the best assurance of their Lives and Propriety of their Goods, Nor in this must, or do I forget the Privileges of both Houses of Parliament, which this dayes proceedings do not only violate, but likewise occasion the greatest breach of

1648.

their publick Falsh; that I believe ever was heard of, with which I am far from charging the two Houses, for all the pretended Crimes laid against me, bear date long before this late Treaty at *Newport*, in which I having concluded as much as in me lay, and hopefully expecting the Houses Agreement thereunto, I was suddainly surprized and hurried from thence as a Prisoner, upon which account I am, against my will, brought hither; where since I am come, I cannot but to my power defend the ancient Laws & Liberties of this Kingdom, together with my own just Right. Then, for any thing I can see, the Higher House is totally excluded. And for the house of Commons it is to o well known, that the major part of them are detained or deterred from sitting, so as if I had no other, this were sufficient for me to protest against the lawfulnessse of your pretended Courts; besides all this, the Peace of the Kingdom, which is not the least of my thoughts, and what hopes of Settlement is there, so long as a Power reigns against Rule or Law, changing the whole frame of that Government, under which this Kingdom hath flourished so many hundred years (nor will I say what will fall out, in case this lawlesse, unjust Proceedings against me do go on,) and believe it the Commons of *England* will not thank you for this Change, for they will remember how happy they have been of late years, under the Reign of *Queen Elizabeth*, the King my Father, and my Self, untill the beginning of these unhappy Troubles, and will have cause to doubt; that they never shall be so happy under any new; and by this time it will be too sensibly evident, that the Arms I took up, were only to defend the Fundamental Laws of the Kingdom against those who have supposed my Power hath totally changed the Antient Government. Thus having shewed you briefly the Reasons why I cannot submit to your pretended Authority, without violating the trust which I have from God for the welfare and liberty of my People, I expect from you either clear Reasons to convince my judgement, shewing me that I am in an Errour, and then truly I will answer, or that you will withdraw your proceedings.

These were his Majesties Reasons against the pretended Jurisdiction of the High Court of Justice, which he intended first to have spoke, and after to have delivered in writing on Monday the 22^d. of *January*, but was not permitted; and indeed in vain it was to have delivered reasons unto those who were resolved not to have hearkened unto any, but were resolutely bent to destroy him, though he owned the jurisdiction of that Court, which they well knew he could not do, without breach of that Trust reposed in him, to maintain the Fundamental laws of the Kingdom, and lay not only his Successors, but every individual Subject in his Kingdom, open to an Arbitrary and unjust power; *Bradshaw* therefore the President of this Court of Injustice, having (as he had done the several dayes of Tryal before) pressed his Majesty to own the power of the Court, and not permitting him to give Reasons why he would not, with threatening that the Charge shall be taken *pro confesso*, and sentence pronounced if hee declined still the Courts jurisdiction, finding the King resolute to maintain the liberties of his people, & his Majesty having declared, that he had nothing to say, *Bradshaw*, to shew at least, that he had impudence enough to speak something in defence of the Action hee was then about, told the King,

THe Court then, Sir, hath something to say to you, which although I know it will be very unacceptable, yet notwithstanding they are resolved to discharge their duty, Sir, you speak very well of a precious thing that you call Peace, and it had been much to be wished, that God had put it in your heart, that you had as effectually and really endeavoured and studied, the peace of the Kingdom, as now in words you seem to pretend; but you were told the other day, Actions must expound Intentions, yet Actions have not been clean contrary; & truly, Sir, it doth appear plain enough to them, That you have gone upon very erroneous Principles, the Kingdom have felt it to their smart, and it will be no ease to you to think of it, for, Sir, you have held your self, and let fall such language as if you had been no wayes subject to the Law, or that the Law had not been your Superiour; Sir, the Court is very sensible of it, and so, I hope, are all the understanding People of England, that the Law is your Superiour; That you ought to have ruled according to Law, you ought to have done, so Sir, I know very well your pretence hath been that you have done so, but, Sir, The difference hath been, who shall be the Expositors of this Law, Sir, whether you or your Party, our of Courts of Justice, shall take upon them to expound Law, or the Courts of Justice, who are the Expounders, Nay the Sovereign and the High Court of Justice, the Parliament of England, who are not only the highest Expounders, but the sole Makers of the Law. Sir, for you to set your self with your single judgement, and those that adhere unto you, against the High Court of Justice, that is not Law; Sir, as the Law is your Superior, so truly, Sir, there is something that is Superiour to the Law, and that is indeed the parent or Author of the Law, and that is the people of England, For, Sir, as they are those that at the first, (as other Countries have done) did choose to themselves the form of Government, even for Justice-sake that Justice might be administered, that Peace might be preserved; So Sir, they gave Laws to Governours, according to which they should govern; and if those Laws should have proved inconvenient or prejudiciall to the publick, they had a Power in them, and reserved to themselves, to alter as they shal see cause: Sir, it is very true what some of your side have said, *Rex non habet parem in Regno*, this Court will say the same, while King, that you have not your Peer in some sense, for you are *Major singulis*, but they will aver again that you are *Minor universis*; and the same Author tels you, that *In exhibitione Juris* there you have no power, but *In justitia quasi minimus suscipienda*, you are: This we know to be Law, *Rex habet superiorem, Deum & Legem etiam & Curiam*, and so sayes the same Author; and truly, Sir, he makes bold to go a little further, if the King be without a Bridle, *Debet ei ponere frenum* they ought to bridle him; and Sir, we know very well the Stories told, those Wars called the Barrons Wars, when the Nobility did stand up for the Liberty and Property of the Subject, and suffered not the Kings that did invade, to play the Tyrants freely, but called them to account for it, we know that Truth, that they did at that time *frenum ponere*; but, Sir, if they do forbear to do their Duty now, and are not so mindfull of their own honour, and Kingdoms good, as the Barons of England, the People will not be unmindfull of what is for their preservation and Safety, *Justitia fructus causa Reges constituti sunt*, this we learn, the end of having Kings, or any other Governours, it's for the enjoying of justice, that's the end; Now, Sir, if so be the King will go contrary to the end of his Government; Sir, he must understand, that he is but an Officer of trust to the People, and they are to take order for the animadversion and punishment of such an offending Governour, if he do not; this is not Law of yesterday, Sir, since the time of your

The Civill Warres

Division betwixt you and your People, but it is Law of old, and wee know very wel the Author and Authorities that do tell us, what the Law was in that point upon the Election of Kings, upon the Oath they took unto their people, as if they did not observe it, there were those things called Parliaments; the Parliaments were those that were to adjudge the very words of the Author, the Plaints and Wrongs done of the King and Queene, and Their Children, such Wrong especially when the People could have no where else any Remedy: Sir, That hath been the People of *Englands* Case, They could not have their Remedie elsewhere but in Parliament: Sir, Parliaments were Ordained for that purpose to Redresse the Grievances of the People, that was their main end; and truly, Sir, if so be that the Kings of *England* had been rightly mindfull of themselves, they were never more in Majesty and state than in the Parliament; but how forgetfull some has been, Stories have told us, and how you have been we have a miserable and lamentable sad experience of it through all *England*; Sir, by the old Laws of *England*, I speak these things the rather to you, because you were pleased to let fall the other day, you thought you had as much knowledge in the Law as most Gentlemen in *England*; it is very well, Sir, and truly, Sir, it is very good for the Gentlemen of *England* to understand that Law under which they must live, and by which they must be governed; and, Sir, the Scripture sayes, They that know their Masters wills and do it not, what follows, the Law of your Master, the Acts of Parliaments; the Parliaments were to be kept anciently we find in our Author twice a year, that the Subjects upon any occasion, might have a ready remedy and redresse for his Grievance; afterwards by severall Acts of Parliament in the dayes of your Predecessor, *Edward* the Third, they must have been once a year; Sir, what intermission of Parliaments hath been in your time it is very well known, and the sad consequences of it, and what in the interim instead of the Parliament hath been by you, by a high and arbitrary hand introduced upon the people, that likewise hath been too well known and felt, but when God by his providence had so brought it about, that you could no longer decline the calling of a Parliament, Sir, yet it will appear what your ends were against the ancient, and your native Kingdom of *Scotland*, the Parliament of *England* not serving your ends against them, you was pleased to dissolve it; another great necessity occasioned the calling of this Parliament; and what your Designs and plots, and endeavours all along have been for the ruining and confounding of this Parliament, hath been very notorious to the whole Kingdom; and truly, Sir, in That you did strike at all, that had been a sure way to have brought about That that This layes upon you; your intention to subvert the Fundamental laws of the Land. For the great Bulwark of liberty of the people in the Parliament of *England*, and to subvert and root up that which your aim hath been to do certainly at one blow you had confounded the liberties & propriety of *England*: truly, Sir, it makes me call to mind, I cannot forbear to expresse it, for, Sir, we must deal plainly with you according to the merits of your cause, so is our Commission, it makes me call to mind (these proceedings of yours) that we read of a great Roman Emperour, by the way let us call him a great Roman Tyrant, *Caligula*, that wist that the people of *Rome* had had but one Neck, that at one Blow he might cut it off; and your proceedings hath been somewhat like to this, for the body of the people of *England* hath been (and where else) represented, but in the Parliament? and could you have but confounded that, you had at one blow cut off the Neck of *England*, but God hath reserved better

better things for us, and hath been pleased to confound your Designs, and to break your Forces, and to bring your person into custody, that you might be responsible to Justice. Sir, we know very well, that it is a question on your side verie much prest, by what President we shall proceed; trulie, Sir, for Presidents I shall not upon these occasions instruct any long Discourse, but it is now no new thing to cite Presidents, almost of all Nations where the people, when power hath been in their hands, have made bold to call their Kings to account, and where the change of Government hath upon occasion of the Tyranny and Mil-Government of those that hath been placed over them; I will not spend time to mention *France* or *Spain*, or the Empire, or other Countreies, Volumes may be written of them; but truly, Sir, that of the Kingdom of *Aragon* I shall think some of us have thought upon it, when they have the Justice of *Arragon*, that is a man, *Tantum in medio posuit*, betwixt the King of *Spain*, and the people of the Countrey; and it wrong be done by the King, he that is K. of *Arragon*, the Justice hath power to reform the wrong, and he is acknowledged to be the Kings Superiour, and is the Grand preserver of their privileges, and hath prosecuted Kings upon their Miscarriages; Sir, what the *Tribunes of Rome* were heretofore, and what the *Ephory* were to the *Lacedemonian* State, we know that is the Parliament of *England* to the English State, and though *Rome* seem to have lost its Liberty when once the Emperours were, yet you shall finde some famous Acts of Justice even done by the Senate of *Rome*; that great Tyrant of his time *Nero* condemned and judged by the Senate; but trulie, Sir, to you I should not mention these Forein Examples and Stories, if you look but over *Tweed*, we find enough in your native Kingdom of *Scotland*, if we look to your first King *Fergus*, that your Stories make mention of, he was an elective King, he died and left two Sons; both in their Minoritie, the Kingdom made choice of their Uncle, his Brother, to govern in the Minoritie; afterwards the Elder Brother giving small hopes to the people that he would rule or govern well; seeking to supplant that good Uncle of his that governed then justly, they set the Elder aside, and took to the Younger. Sir, If I should come to what your Stories make mention of, you know verie well you are the 109. King of *Scotland*, for to mention so many Kings as that Kingdom according to their power and priviledge have made bold to deal withall, some to banish, and some to imprison, and some to put to death; it would be too long; and as one of our Authors sayes, it would be too long to rectie the manifold examples that your own Histories make mention of; *Reges* (say they) we do create, we created Kings at first *Leges*; we imposed Laws upon them, and as they are chosen by the suffrages of the People at the first, so upon just occasion by the same suffrages they may be taken down again, and ever will be bold to say; That no Kingdom hath yielded more plentiful experience than that your own Kingdom of *Scotland* hath done concerning the deposition and the punishment of their offending and transgressing Kings, &c. It is not far to go for an example near you, your Grand-mother set aside, and your Father an Infant Crowned, and the State did it: here in *England* here hath not been a want of some Examples, they have made bold, the Parliament and the people of *England*, to call their Kings to account; there are frequent Examples of it in the *saxons* time, the time before the Conquest; since the Conquest there wants not some Presidents neither, King *Edward* the Second, King *Richard* the Second, were dealt with so by the Parliament, as they were deposed and deprived. And truly, Sir, whoever shall look into their Stories, they shall not find the Articles that are charged upon

The Civill Warres

1648.

upon them to come near to that Height and Capitalnesse of Crimes that are laid to your charge, nothing near. Sir, you were pleased to say the other day wherein they dissent, I did not contradict it, but take all together; Sir, if you were as the Charge speaks, and no otherwise, admitted King of England, but for that you were then pleased to allege, how that almost for a thousand years these things have been, Stories will tell you, if you go no higher than the time of the Conquest; if you do come down since the Conquest, you are the 29th. King from *William* called the *Conquerour*, you shall find one half of them to come meely from the State, and not meely upon the point of the Descent; it were easie to be instanced to you, the time must not be lost that way, and truly, Sir, what a grave and learned Judge in his time, and well known to you, is since printed to posterity, that although there were such a thing as a Descent many times, yet the Kings of England ever held the greatest assurance of their Titles when it was declared by Parliament; and, Sir, your Oath, the manner of your Coronation doth shew plainly, that the Kings of England, and though it is true the Person in blood is designed, yet if there were just cause to refuse him, the people of England might do it; for there is a Contract and Bargain made between the King and his people, and your Oath is taken; and certainly, Sir, the Bond is reciprocal, for as you are the Liege-Lords, so they the Liege-Subjects, and we know very well, that hath been so much spoken of, *Liganis est duplex*; this we know now the one tye, the one Bond, is the Bond of perfection, which is due from the Sovereign, the other is the Bond of Subjection, that is due from the Subject: Sir, if this Bond be once broken, farewell Sovereignty, *Subiectio trahit*: these things may not be denied, Sir, I speak it, the rather, and I pray God it may work upon your heart, that you may be sensible of your miscarriages, for whether you have been, as by your office you ought to be, a protector of England, or the destroyer of England, let all England judge, or all the World that hath looked upon it. Sir, though you have it by Inheritance in the way that is spoken of, yet it must not be denied that your office was an office of trust, and an office of the highest trust lodged in any single person; for as you were the grand Administrator of Justice, and others were as your Delegates to see it done throughout your Realms; if your great office were to do justice, and preserve your people from wrong, and instead of doing that you will be the great wrong-doer your self; if instead of being a conservator of the peace, you will be a grand disturber of the peace, surely this is contrarie to your office, contrarie to your trust. Now Sir, if it be an office of inheritance, as you speak of your title by descent, let all men know, that great offices are seizable, and forfeitable, as if you had it but for a year, and for your life; Therefore, Sir, it will concern you to take into your serious consideration your great miscarriages in this kind; Trulie Sir, I shall not particularize the manie miscarriages of your Reign whatsoever, they are famously known, it had been happie for the Kingdom, and happie for you too if it had not been so much known, and so much felt, as the storie of your miscarriages must needs be, and hath been already: Sir, that that we are now upon by the commandement of the highest Court, hath been and is to try and judge you for great offences of yours. Sir, the Charge hath called you, *A Tyrant, a Traitor, a Murderer, and a publick enemy to the Commonwealth of England*. Sir, it had been well if that any of all these terms might rightlie and justlie have been spared, if anie one of them at all. Trulie Sir, we have been told, *Rex est dum bene regis, Tyrannus qui populum opprimit*, and if so be that be the definition of a Tyrant, then see how

how you come short of it in your actions, whether the highest Tyrant by that way of arbitrary Government, and that you have sought to introduce, and that you have sought to put, you were putting upon the people, whether that was not as high an act of tyrannie as anie of your Predecessors were guiltie of, nay manie degrees beyond it. Sir, the term Traitor cannot be spared, we shall easily agree it must denote and suppose a breach of trust, and it must suppose it to be done by a Superiour; and therefore Sir, as the people of England might have incurred that, respecting you, if they had been trulie guiltie of it as to the definition of Law: so on the other side when you did break your trust to the Kingdom you did break your trust to your Superiour; for the Kingdom is that for which you were intrusted; and therefore Sir, for this breach of trust when you are called to account, you are called to account by your Superiours, ----- *Minimus ad majorem in judicium vocat*; and Sir, the people of England cannot be so far wanting to themselves, which God having dealt so miraculoullie and gloriouslie for, they having power in their hands, and their great enemy, they must proceed to do justice to themselves, and to you. For Sir, the Court could heartilie desire that you would lay your hand upon your heart, and consider what you have done amisse that you would endeavour to make your peace with God. Trulie Sir, these are high Crimes, Tyranny and Treason; There is a third thing too, if those had not been, and that is *Murther*, which is laid to your charge. All the bloody Murthers that have been committed since this time that the division was betwixt you and your people, must be laid to your charge that have been acted or committed in these late Wars. Sir, it is a hainous and crying crime or sin: And truly Sir, if any man will ask me what punishment is due to a Murderer, let Gods Law, let mans Law speak. Sir, I will presume that you are so well read in Scripture, as to know what God himself hath said concerning the shedding of mans blood, *Gen. 9. Numb. 25* will tell you what the punishment is, and which this Court in behalf of the Kingdom are sensible of; of that innocent blood that has been shed, whereby indeed the Land stands still defiled with that blood, and as the Text hath it, it can no way be cleaned, but with the shedding of the blood of him that shed this blood. Sir, we know no dispensation from this blood in that Commandement, *Thou shalt do no Murder*: We do not know, but that it extends to Kings as well as to the meanest Peasants, the meanest of the People; the command is Universal. Sir, Gods Laws forbids it, Mans Laws forbids it; nor do wee know that there is any manner of Exceptions not even in Mans laws for the punishment of Murder in you: 'tis true, that in the Case of Kings every private hand was not to put forth it self to this Work for their Reformation and punishment; But, Sir, the people represented having power in their hands, had there been but one wilfull Act of Murder by you committed, had power to have convened you, and to have punished you for it; but then, Sir, the weight that lyes upon you in all those respects that have been spoken, by reason of your Tyranny Treason, breach of Trust, and the Murthers that have been committed; surely, Sir, it must needs drive into a deep consideration concerning your eternall Condition, as I said at first, I know it cannot be pleasing to you to hear any such things as these are mentioned to you from this Court, for so we do call our selves, and justifie our selves to bee a Court, and a High Court of Justice authorized by the highest and solemnest Court in England, and we have often said, and although you do yet endeavour what you may to dis-court us, yet wee do take knowledge of Our Selves to bee such a Court, as can

Aimi-

The Civill Warres

1648.

Administer Justice to you, and Wee are bound, Sir, in Duty to do it. Sir, all that I shall say before the reading of your Sentence is but this, the Court does heartily desire that you will seriously think of those Evils that you stand guilty of. Sir, you said well to us the other day, You wisht us to have God before our Eyes; Truly, Sir, all of us have so, that God that Wee know, is a King of Kings, and Lord of Lords, that God with whom there is no Respect of Persons; That God that is the Avenger of Innocent blood, we have that God before us, that God that does bestow a curse upon them that withhold not their hand from shedding of Blood, which is the Case of guilty Malefactours, and that do deserve death, that God we have before our eyes, and were it not that the Conscience of our Duty hath called us to this Place, and this Employment, Sir, you should have had no appearance of a Court here; but, Sir, we must prefer our Duty to God, and unto the Kingdom, before any other respect whatsoever; and although at this time many of us, if not all of us, are severally threatened by some of your Party what they intend to do; Sir, we do here declare that we shall not decline, nor forbear doing of our Duty in the administration of justice even to you according to the merits of your offence; although God should permit those men to effect all that bloody design in hand against us, Sir, we shall say, and we will declare it as those Children in the fiery Furnace that would not worship the Golden Image that *Nebuchadnezzar* had set up, that their God was able to deliver them from that danger that they were near unto; but yet if he would not do it, yet notwithstanding that they would not fall down and worship the Image: we shall thus apply it, That though we should not be delivered from those bloody hands and hearts that conspire the overthrow of the Kingdom in General, of us in particular, for acting in this great work of Justice, though we should perish in the work, yet by Gods grace, and by Gods strength we will go on with it, and this is all our Resolutions. Sir, I say for your self we do heartily wish and desire, that God would be pleased to give you a sense of your sins, that you would see wherein you have done amiss, that you may cry unto him, that God would deliver you from blood-guiltynesse, a good King was once guiltye of that particular thing, and was clear otherwise, saving in the matter of *Uriah*; trulie, Sir, the story tels us, that he was a repentant King, and it signifies enough that he had dyed for it, but that God was pleased to accept of him, and to give him his pardon, *Thou shalt not dye but the Childe shall dye, thou hast given cause to the Enemies of God to blaspheme.*

Here the King, no longer to comport those villanous scandals cast upon him, by *Bradshaw* impudent tongue, interrupting him, desiring only to speak a word before hee gave Sentence, and that was, that he would hear him concerning those great imputations that he had laid to his Charge.

But *Bradshaw* replied, That he must now give him leave to go on, for hee was not now far from his Sentence, and his time was past.

But sayes the King, I shall desire you will hear me a few words, for truly, whatever sentence you will put upon me, in respect of those heavy imputations, [see by your speech you put upon me] that I, Sir, 'tis very true, that

But here *Bradshaw* interrupting him continued, Sir, I must put you in minde, truly Sir, I would not willingly at this time especially interrupt you in any thing you have to say, that is proper for us to admit of; but, Sir, you have not owned us a Court, and you look upon us as a sort of people met together; and we know what Language wee receive from your Party. Here

of Great Britain and Ireland.

289

1648.

Here the King answers; *I know nothing of it.*

Bradshaw goes on, You disavow us as a Court, and therefore to address your self to us, not to acknowledge us as a Court to judge of what you say, it is not to be permitted, and the truth is, all along from the first time you were pleased to disavow and disown us, the Court needed not to have heard you one word, for unless they be acknowledged a Court, and engaged, it is not proper for you to speak; Sir, we have given you too much liberty already, and admitted of too much delay, and we may not admit of any further, were it proper for us to do, we should hear you freely, and we should not have declined to have heard you at large, what you could have said or proved in your behalf, whether for totally excusing, or for in part excusing those great and heinous Charges, that in whole or in part are laid upon you; but, Sir, I shall trouble you no longer, your sins are so large a dimension, that if you do but seriously think of them they will drive you into a sad consideration, they may reprove in you a sad and serious repentance, and that the Court doth heartily wish, that you may be so penitent for what you have done amiss, That God may have mercy at least-wise on your better part, Truly, Sir for the other it is our parts and duties to do That that the whole Law prescribes, we are not here *jus dare* but *jus dicere*, we cannot be unmindful of what the Scripture tells us, *for to acquit the Guilty is of equal abomination as to condemn the Innocent*: We may not acquit the Guiltie, what Sentence the Law affirms to a Traitor, Tyrant, a Murderer, and a publick Enemy of the Countrey; that Sentence you are now to hear read unto you, and that is the Sentence of the Court.

Bradshaw having said thus much in vindication of that impious and horrid Murder which he, and the pretended High Court of Justice were about: The Clark was ordered to read the Sentence for death against the King; which he did in these words.

W Hereas the Commons of England in Parliament have appointed them a high Court of Justice, for the trying of Charles Stuart King of England, before whom he had been three times convicted, and at first time a Charge of high Treason, and other Crimes and misdemeanors was read in behalf of the Kingdom of England, &c. ----- [Here the Clark read the Charge.] ----- Which Charge being read unto him as aforesaid, he the said Charles Stuart was required to give his answer, but he refused so to do; [And so expressed the several passages at his trial in refusing to answer:] ----- For all which treasons and crimes this Court doth adjudge, that the said Charles Stuart, as a Tyrant, Traitor, Murderer, and a publick Enemy shall be put to death, by the severing of his head from his body.

After the sentence read, the Lord President said, ----- This Sentence now read and published, 'tis the act, sentence, judgement, and resolution of the whole Court; whereupon all the Members of the Court stood up assenting to what the President said.

After sentence the King earnestly pressed the Court to have spoken something, what it was could not be known; for he was not permitted to speak, but hurried away by the Presidents command. Here it will not be amiss to insert the names of those persons audacity to sit and adjudge to death their Sovereign Lord and King that they may sink to future generations, viz.

1648.

John Bradshaw
Oliver Cromwell
Henry Ireton
Sir Hardresse Waller
Henry Winton
Tho: Harrison
Edw: Whalley
Tho: Pride
Isaac Ewer
Lord Grey of Grooby
William Lord Mounson
Sir John Danvers
Sir Thomas Maleverer
Sir John Bourchier
Isaac Pennington
Henry Marten
William Puresoy
John Barkstead
John Blakeston
Gilbert Millington
Sir William Constable
Edw. Ludlow
John Hutchison
Sir Mich: Livesey
Robert Tichborne

The Civill Warres

Adrian Scroope
John Harrison
Cornelius Holland
Miles Corbett
Peregrine Pelham
Thomas Challoner
Francis LaSells
Humphrey Edwards
Sir George Norton
Thomas Scott
Anthony Stapelcy
Thomas Horton
Nicholas Love
John Dixwell
Peter Temple
Daniel Blagrove
Owen Roe
Rich. Deane
John Hewson
John Carrow
John Jones
Tho. Wogan
John Moore
Henry Smith
Gegory. Clement

Edward Harvey
Thomas Andrews Alden
man of London
Thomas Hammond
Vincent Potter
Simon Meyne
John Brown
Robert Lilburne
John Okey
Will. Goffe
Will. Heveningham
Thomas Lister
Francis Allen
William Say
James Challoner
John Fry
John Venn
Will. Cawley
John Downes
John Lisle
Augustine Garland
James Temple
Thomas Waite.

The Sentence being passed the King was carried from the Bar, being affronted most inhumanely as he passed down stairs, the common Souldiers (who all this last day of his Tryal had kept a great noise in the Hall, crying, Justice, Justice, as the Jews did, crucifie him, crucifie him) now scoffing at him, some blowing the smok of their Tobacco (no smell to him more noytom) in his face, others throwing their Pipes at his feet; and one more audacious than the rest, defiling his venerable countenance with spittle, which his Majestie with much patience was observed to wipe off with his handkerchief: and when as he passed the Hall they still cried our Justice, Justice, Poor souls (said he!) for a piece of money they would do so for their Commanders. The High Court having given sentence against his Majestie, adjourned into the Painted Chamber to consult of his Execution; the considering of the time and place fit for it being referred to Sir Hardresse Waller, Col. Harrison, Commisary General Ireton, Col. Deane, & Col. Okey, who were appointed a Committee for that purpose, who made their report on Monday the 29. of January, that the open street before his Majesties Palace of Whitehall was the fittest place for his execution, and accordingly a Warrant was issued out to Col. Francis Hacker, Col. Hunkers, and Lievetenant Colonel Phray, to see the Sentence of the pretended High Court of Justice executed, in the said open street before Whitehall on Tuesday the thirtieth of January, between the hours often in the Morning, and five in the Afternoon. The King that night of his Condemnation, being Saturday the twentieth seventh of February,

bruary, lodged at *Whitehall*, where he desired, that he might have the sight of his children, and one of his Chaplains to administer to him the sacrament before his Death; both which were granted. Doctor *Juxon* preaching before him the next day, being *Sunday*, on this Text, *Rom. 2. 16. In that day when God shall judge the secrets of all hearts by Jesus Christ, according to my Gospel.* On *Monday* his Children being by permission come to see him, he first gave his blessing to the *Ladie Elizabeth*, and bad her remember to tell her Brother *James* when ever she should see him, That it was his Fathers last desire, that he should no more look upon *Charles* as his Eldest Brother onlie, but be obedient to him as his Sovereign, and they should love one another, and forgive their Fathers Enemies; Then said the King to her, Sweet-heart you will forget this; No, said she, I shall never forget it whilst I live; and powring forth abundance of tears, promised him to write down the Particulars. Then the King taking the Duke of *Glocester* upon his Knee, said, Sweet-heart, now they will cut off thy Fathers Head. Upon which words the child looked verie stedfastlie on him: Mark Child what I say, They will cut off my Head, and perchance make thee a King: but mark what I say, You must not be a King so long as your Brother *Charles* and *James* do live; for they will cut off your Brothers Heads vvhhen they can catch them, and cut off thy Head too at last: and therefore I charge you be not made a King by them. At vvhich the Child sighing said, I will be torn in pieces first: Which falling so unexpectedlie from one so young, it made the King reioice exceedingly. *Tuesday January* the thirtieth the fatal day, he vvvas about ten of the Clock brought from his Palace at *Saint James's* to *Whitehall*, marched on foot, guarded with a Regiment of Foot-souldiers through the Park, with their Colours flying, and Drums beating, his private Guard of Partizans about him, Dr. *Juxon* Bishop of *London* on one side, and Collonel *Tomlinson* on the other, both bare-headed, bidding them go faster, saying, *That he now went before them to strive for an heavenly Crown, with lesse solitude than he had oftentimes bid his Souldiers to fight for an earthly Diadem.* Being come to the end of the Park, he ascends the stairs leading to the long Gallery in *Whitehall*, and so into the Cabinet-Chamber, where he formerly used to lodge; there his Majesty with the Bishop of *London* continued for some time in Devotion, and received the blessed Sacrament from the hand of the said Bishop; at which time he read for the second Lesson the 27. Chapter of *Saint Matthews* Gospel, which contained the History of the death and passion of our blessed Saviour. The Communion ended, his Majesty thanked the Bishop for selecting so seasonable and comfortable a portion of Scripture. The Bishop modestly replied, No thanks was due to him, for it was the Chapter appointed by the Rubrick for the second Morning lesson for that Day, being *January* the 30th. here the King continued at his Devotion, refusing to Dine, only about 12. of the Clock, he eat a bit of Bread, and drank a Glasse of Claret. From thence about one of the Clock he was accompanied by Doctor *Juxon*, and Collonel *Tomlinson*, and other Officers appointed to attend him, and the private Guards of Partizans with Mulquetteers on each side, through the *Banqueting-house*, adjoining to which the Scaffold was erected between *Whitehall-gate*, and the Gate leading into the Gallery from *Saint James's*: the Scaffold was hung round with Black, the Floor covered with Black-bayes, and the Axe and Block laid in the middle of the Scaffold: there were divers Companies of Foot of Collonel *Prides* Regiment, and several Troops of Horse placed on the one side of the Scaffold towards *Kingstreet*, and on the other side towards

The Civill Warres

1648.

Charingcross; and the multitude of the people that came to be spectators very great. The King being come upon the Scaffold, it was expected he would say somewhat; but being come upon the Scaffold, and looking about him upon the people, who were kept off by Troops of Horse, so that they could not come near to him, he omitted what he had purposed to have spoken to them, as 'tis thought, and turning himself to the Souldiers and Officers, the Instruments of the Regicide, spake to them to this effect,

I Shall be very little heard of any body here, I shall therefore speak a word unto you here: Indeed I could hold my peace very well, if I did not think that holding my peace would make some men think, that I did submit to the Guilt as well as to the punishment: But I think it is my Duty to God first, and to my Countrey for to clear my self, both as an honest man, a good King, and a good Christian. I shall begin first with my Innocency: Introth I think it not very needfull for me to insit very long upon this, for all the world knows, that I never did begin a War with the two Houses of Parliament; and I call God to witnesse, to whom I must shortly give an account, that I never did intend to inroach upon their Liberties and Priviledges: they began upon me, it is the Militia they began upon; they confest that the Militia was mine, but they thought fit for to have it from me. And to be short, if any body will look to the dates of Commissions, of their Commissions and mine, and likewise to the Declarations, will see clearly that they began these unhappy troubles, not I; so that as the guilt of these enormous Crimes that are laid against me, I hope in God, that God will clear me of: I will nor, I am in charity, God forbid that I should lay it upon the two Houses of Parliament, there is no necessity of either; I hope they are free of this Guilt: for I do believe, that ill instruments between them and me has been the chief cause of all this bloodshed: so that by way of speaking, as I find my self clear of this, I hope and pray God that they may too; yerfor all this, God forbid that I should be so ill a Christian, as nor to say, that Gods judgements are just upon me; many times he does pay Justice by unjust sentence, that is ordinary; I will onlie say this, that an * unjust sentence that I suffered for to take effect, is punished now by an unjust sentence upon me, that is so, for I have said to shew you that I am an innocent man; Now to shew you that I am a good Christian, I hope there is a good Man that will bear me witnesse, (*pointing to Doctor Juxon*;) and that I have forgiven all the world, and even those in particular that have been the chief causers of my Death, who they are God knows, I do not desire to know, I pray God forgive them. But this is not all, my Charitie must go further, I wish that they may repent, for indeed they have committed a great sin in that particular, I pray God with *Saint Stephen* that this be not laid to their charge; nay not onlie so, but that they may take the right way to the peace of the Kingdom, for my Charity commands me not only to forgive particular men, but my Charity also commands me to endeavour to the last gasp the peace of the Kingdom.

Turning to some Gentlemen that wrote he said, So Sirs, I do wish with all my Soul, and do hope, there be some here will carry it farther, that they may endeavour the peace of the Kingdom. Now Sirs, I must shew you both how you are out of the way, and will put you in the way: first, you are out of the way, for certainly all the way you ever have had yet, as I could find by anything, is in the way of Conquest; certainly this is an ill way, for Conquest, Sir, in my opinion it is never just, except there be a good cause,

cause, either for matter of Wrong, or just Title; and then if you go beyond it, the first quarrel that you have to it is it that makes it unjust at the end, that was just at first; but if it be only matter of Conquest, then it is a great Robbery, as a Pyrate said to Alexander, that he was the great Robber, he was but a petty Robber; and to Sir, I do think the way that you be in, is much out of the way; Now Sir, for to put you in a way, believe it, you will never do right, nor God will never prosper you, untill you give God his due, the King his due, that is my Successours, and the People their due; I am as much for them as any of you; you must give God his due, by regulating rightly his Church, according to his Scriptures, which is now out of order; for to let you in a way particularly now I cannot, but only in this, A National Synod freely called, freely debating among themselves must settle this when that every opinion is freely and clearly heard; for the King, indeed I will not (then turning to a Gentleman that touched the axe, said, hurt not the axe, that may hurt me, meaning if he did blunt the edge) for the King, the Laws of the Land will clearly instruct you of that, therefore, because it concerns my own particular, I only give you a touch of it; for the people, and truly I desire their libertie and freedom as much as any body whatsoever; but I must tell you that their libertie and freedom consists, in having of Government, those Laws by which their lives and their goods may be most their own, it is not for having share in government, Sir, that is nothing pertaining to them; a subject, and a sovereign are clean different things, and therefore untill they do that, I mean, that you do put the people in that liberty as I say, certainly they will never enjoy themselves: Sir it was for this that now I am come here, if I would have given way to an arbitrarie way for to have all laws changed according to the power of the sword, I needed not to have come here, and therefore I tell you, and pray God it be not laid to your charge, that I am the Martyr of the people; in troth Sirs, I shall not hold you much longer, for I will onlie say this to you, that in truth I could have desired some little time longer because I would have put this that I have said in a little more order and a little better digested then I have done, and therefore I hope you will excuse me; I have delivered my conscience, I pray God that you do take those courses that are best for the good of the Kingdom, and your own salvations. Dr. Juxon replies, will your Majestie, though it may be verie well known your Majesties affection to Religion, Yet it may be expected, that you should say somewhat for the worlds satisfaction. The King answered, I thank you verie heartilie my Lord, for that I had almost forgotten it. In troth Sirs, my Conscience in Religion, I think, is verie well known to all the world; and therefore I declare before you all, that I die a Christian, according to the profession of the Church of England, as I found it left me by my Fathers and this honest man (pointing to Dr. Juxon) I think will witnesse it. Then turning to the Officers, said, Excuse me for this, I have a good Cause, and have a gracious God, I will lay no more. Then turning to Colonel Hacker, he said, Take care they do not put me to pain, and Sir, this if it please you.

Then after some short discourse with Dr. Juxon, his Majestie with an Heroick patience submitted his Head to the Block, which after the sign given, was at one blow cut off by the Executioner, and with the bodie put into a Coffin covered with Velvet, and conveyed into Whitehall, and from thence to his Houle at St. James's, where his body was Embalmed and put in a Coffin of Lead, laid there a fortnight to be seen by the people,

The Civill Warres

ple, & on the Wednesday sevensnight after his Corps Embalmed & Coffined in Lead, was delivered chiefly to the care of four of his Servants, viz. Mr. Herbert, Cap. Anthony Mildmay his Sewers, Cap. Preston and John Joyner formerlie Cook to his Majestie, they attended with others cloathed in mourning Suits and Cloaks, accompanied the Hearse that night to Windsor, and placed it in that which was formerlie the Kings Bed-Chamber; next day it was removed into the Deans Hall, which Room was hangd with black and made dark, lights burning round the Hearse; in which it remained till three in the afternoon; about which time came the Duke of Lennox, the Marquesse of Hertford; the the Marquesse of Dorchester, the Earl of Lindsey, having obtained an Order from the Parliament for the decent interment of the King their Royal Master, provided the expence thereof exceeded not five hundred pounds; at their coming into the Castle they shewed their Order of Parliament to Col. Wichcott Governour of the Castle, desiring the interment might be in St. Georges Chappel, and by the Form in the Common prayer Book of the Church of England; this Request was by the Governour denied, saying, It was improbable that the Parliament would permit the use of what they had solemnly denied and abolished, and therein destroy their own act; to which the Lords replied, There is a difference betwixt destroying their own Act; and dispensing with it; and that no power so binds its own hands to disable it self in some cases; all could not prevail, the Governour persisting in the Negative; the Lords betook themselves to the search of a convenient place for the burial of the Corps, the which after some pains taken therein, they discover a Vault in the middle of that Quire, wherein as is probably conjectured, lyeth the body of King Henry the eighth and his beloved Wife the Lady Jean Seymour, both in Coffins of Lead in this Vault, there being room for one more; they resolve to inter the body of the King, the which was accordingly brought to the place, born by the Officers of the Garrison, the four corners of Velvet-pall born up by the aforesaid four Lords, the pious Bishop of London following next, and other persons of quality; the Body was committed to the earth with sighs and tears, especially of the Reverend Bishop, to be denied to do the last Duty and Service to his Dear and Royal Master; the Velvet Pale being cast into the Vault, was laid over the body: upon the Coffin was these words set;

KING CHARLES 1648.

Thus fell CHARLES the first, King of Great Britain, France and Ireland, &c. the Martyr of the People, a Prince certainly endowed with as much piety, magnanimity and patience, as any that ever this Kingdom could boast of, who in the confession of his very Enemies, was a person possit with the highest vertues that might dignifie a Man, a Christian, or a King; So that Henry Marten, one of his greatest Enemies, is affirmed to have said after his death, That if there must be a King in England, he had rather have him than any man living: But let his Works praise him, his Famous ΕΙΚΟΝ ΒΑΣΙΛΙΚΗ, which he that looks over shall find, that though the malice of his Enemies deprived him of a Tomb of Brasse, or Marble, yet he hath raised to himself a Monument,

----- Quod nec Joves ira nec Ignis.

which neither time nor envy shall be able to trample down, but shall last as an eternal

ternal testimony of his glory, and witness of his heroick endowments; and though hee had fate to fall by his Enemies, shew him still a Conquerour, both over his own Passions, and their Reproaches, and make him live eternally in the hearts of all good men. But now his Tragedy was consummate, both the Presbyterians and Independents endeavoured to wash their hands from the guilt of his blood; the first, when 'twas too late, disclaiming and dissenting from any proceedings against him, and the last alledging that they had not murdered the King of England, but put to death Charles Stuart, who had long before been Un-kinged and Un-throned by the Presbyterians, when they raised Armes against him, took from him his Royal Prerogative, imprisoned him, and only delivered him over to them, as the Jews did Christ to Pontius Pilate, to be sentenced. But dead he was, and in vain to think of re-calling, therefore the chief defender of the Laws being gone, let us proceed to see how these Husbandmen having slain the Heir, do imploy and Husband his Vineyard.

*Finis Partis Prima Historiae Belli
Civilis Britannici.*



PARS SECUNDA.

CHAP. LXXXVI.

*A Proclamation prohibiting the proclaiming of any King; The Commons
turn out the Lords; Their Protestation; The Council of State
established.*

IF the guilty consciences of many both in the Parliament and Army permitted them not so much confidence in the Kings Royal word, though offered to be confirmed by Act of Parliament, as to think themselves safe and secure during his life, what horrid dangers must their consciences now prompt to themselves when they had murdered their Lord and Master, and made him a Sacrifice to their imagined Safety, the thought of which was yet doubtlesse so far from some of them, that they had hardly the hopes of it, though others, though perhaps not of more seared consciences, yet of greater knowledge in wickednesse, knew, that the only course was, after they had killed the Heir, to seize on his Inheritance, and make themselves Masters of all that was formerly his, that so they might be the better enabled to resist any force which might disturb their peace. And indeed

1648.

indeed how could it be expected that they should do otherwise, or that they who had murdered the Father should have any confidence to rely upon the Son, who must needs be unworthy to his Fathers and Sovereigns memory if he did not execute just vengeance upon such Parricides; And therefore now the Army, with their thin Parliamentary Junctio, having brought their Grand Design about in the slaughter of the King, immediately fall to the taking possession of his Kingdom, by dis-inheriting the lawfull Heir; for no sooner was the breath out of King *Charles* his body, but Proclamation was made, That whereas several pretences might be made to the Crown, and Titles to the Kingly Office set on foot, to the apparent hazard of the publick peace; Be it Enacted and Ordained by this present Parliament, and the Authority of the same, That no person whatsoever do presume to declare *CHARLES STUART* (son of the late *CHARLES*;) commonly called Prince of Wales, or any other person to be King or chief Magistrate of England or Ireland, or of any Dominion belonging to them by colour of Inheritance, Succession, Election, or any other claim whatsoever, without the free consent of the people in Parliament first had and signified by a particular Act or Ordinance for that purpose; any Law, Statute, Usage and Custome to the contrary notwithstanding, and whosoever shall contrary to this Act, proclaim, &c. shall be deemed and adjudged a Traytor, and suffer accordingly. But notwithstanding this so strict Prohibition of the Parliaments, on the second of February, some loyal Persons knowing the undoubted Right of the Prince of Wales to his Fathers Crowns and Kingdoms, and the unjust Usurpation of those who not only kept them from him, but could they have got him into their hands, would have dealt with him, as they had done by his Royal Father and Predecessor, caused the following Proclamation to be privately Printed and scattered about the Streets of London.

A Proclamation proclaiming *CHARLES* Prince of Wales, KING of Great Britain, France and Ireland.

WE the Noblemen, Judges, Knights, Lawyers, Gentlemen, Freeholders, Merchants, Citizens, Peomen, Seamen, and other freemen of England, do according to our Allegiance and Covenant by these presents, heartily, joyfully, and unanimously acknowledge and Proclaim the Illustrious *CHARLES* Prince of WALES, next Heir of the Blood-royal to his Father King *CHARLES*, (whose late, wicked and trayterous further, we do from our Souls abominate, and all Parties and Consenters thereunto) to be by Hereditary Birth-right and Lawfull Succession, Rightfull and Undoubted King of Great Britain, France and Ireland, and the Dominions thereunto belonging. And that we will faithfully, constantly, and sincerely in our several Places and Callings defend and maintain His Royal Person, Crown and Dignity, with our Estates, Lives, and last drop of our Blood against all Opposers thereof, whom we do hereby declare to be Traytors and Enemies to his Majesty and his Kingdoms. In testimony whereof we have caused these

these to be published and proclaimed throughout all Counties and Corporations of this Realm; The first day of February, in the first Year of his Majesties Reign.

1648.

God save King CHARLES the Second.

So then all the people of England were not engaged in that impious Paricide, nor indeed the tenth part, but those which were had got the Sword into their hands, with which they were resolved to over-awe all those who should oppose or gain-say their Tyrannical proceedings; nor could there be now a greater crime than Loyalty, whilst nothing but Treason was made to be so, and a forced obedience required towards Servants, whilst they were in Rebellion against their King and Master; yet the power of the sword extorted that from most, which they would never have voluntarily received from the tenth part of the Nation: but having got it, they resolve to improve it to their utmost security, and therefore having before been well purged by the Army, and made a Seat for their turns, they would be sure that none of those who had by the Vote of the fifth of December concluded the Kings Concession sufficient ground for settlement of a peace, and so declared their consciences, should sit amongst them, they Vote them quite out of the House, and that they should no more be re-admitted to sit as Members, and that all those who were yet in the House should enter their dissents to the said Votes of the fifth of December, and such as were absent, though of their disapprovall of them before they should be admitted to sit; and having thus settled their own House, the House of Lords falls next under their consideration, who having sent a Message to them to acquaint them, that the Judges commissions and power being determined by the Kings death, they could not give that assistance to that House which they usually did, so that the proceedings of that House were at a stand; they therefore desiring that eighteen of the Commons might be sent to confer with nine of the Lords, about settling the Government, instead of receiving an Answer, the Commons fell to debate, Whether they should continue the House of Lords as a Court Judicatory or Consultory only? and on the next day was put to the Question, Whether the House of Commons should take the advice of the House of Lords in the exercise of the Legislative power of the Kingdom, in pursuance of the Votes of this House 4. January last? which was by many Voices carried in the Negative, and in farther pursuance of the said Vote they add these other, That they would make no farther Addresses, to the House of Lords, nor receive any more from them; That the House of Peers in Parliament was uselesse and dangerous, and that an Act should be brought in for abolishing it; That the privilege of the Peers of being freed from Arrests should be made null and void; but yet they condescended, That the Peers should have the privilege to be elected Knights and Burgesses; which was willingly embraced by the Earl of Pembroke: but the rest of the Peers sensible of this strange alteration of the fundamental government of the Nation, and these endeavours of the Commons utterly to subvert the antient Laws, and Regal Government of this Nation, having now taken away Two of the Three Estates, published the ensuing *Protestation* in the Name of the Peeres, Lords and Barons of the Realm, against the late treasonable Proceedings and Tyrannical Usurpations of some Members of the Commons-House, &c.

1648.

WE the Peers, Lords and Barons of the Realm of *England*, for the present necessary Vindication of the undoubted Rights and Priviledges of Parliament, and more particularly of the House of Peers, the just prerogatives and personall safety of our Kings, the known Laws and Liberties of this Kingdom, the Hereditary freedom of all the Freemen of this Nation, and our own affronted & contemned honours and authority, against the many late unparallel'd dangerous invasions, & treasonable usurpations of a few insolent misadvised Members of the (late) House of Commons, whilst the greatest and ablest part of the House were forceably detained or deterred from thence, wherewith we find our selves and the whole Kingdom unflusterably injured and deeply afflicted: Do after a long patient expectation of their own ingenious Retractions of such unjustifiable Exorbitances, which their own judgements and consciences cannot but condemn, whereof we now utterly despair, being thereto engaged in point of Honour, Loyalty, Conscience, Oath and love to our Native Country, as also by our Solemn League and Covenant publicly declare and protest to all the world, That by the Laws and customs of this Realm, and usage of Parliament time out of mind, ever since there were Parliaments in this Island, the principal Authority and Judiciary of the Parliaments of *England* hath alwayes constantly resided, and ought still to continue only in the Kings and House of Peers (wherein he alwayes sits) and not in the Commons House, who never had claimed, nor ought to have any right or power to judge any cause civilly or criminally (having no authority to Examine any Witness upon Oath, and being no Court of Record) but only to accuse and Impeach Delinquents in the House of Peers, where they alwayes have used to stand bare-headed at their Bar, but never yet to stand covered, much lesse to sit, vote, or give judgement. And that the House of Commons without the concurrent assent of the House of Peers & Kings of *England*, never heretofore challenged nor enjoyed, nor can of right pretend to any lawfull power or jurisdiction to make or publish any firm or binding Ordinance, Vote, Act, or Acts of Parliament whatsoever, nor ever once presumed to passe any Act or Acts to erect a new High Court of Justice to try, condemn or execute the meanest Subject, least of all their own Sovereign Lord the King, or any Peer of the Kingdom (who by the Common and Statute Laws of this Realm, and by *Magna Charta*, ought to be tried only by their Peers, and not otherwise) or to dishnerit the right heir to the Crown, or to alter the Fundamental Government, Laws, great Seal, or ancient Forms of Proccesse and legal proceedings of this Realm, or to make and declare high treason to be no treason, or any act to be treason, which in it self & by the laws of the Land is no treason, or to dispose of any offices or places of Judicature, or impose any Penalties, Oaths or taxes on the Subjects of this Realm. And therefore We do here in the presence of Almighty God, Angels and Men, from Our hearts disclaim, abhor and protest against all Acts, Votes, Orders, or Ordinances of the said Members of the Commons House lately made and published for setting up any new Court of Justice, to try, condemn, or Execute the King, or any Peer or Subject of this Realm: (which for any person or persons to sit in, or act as a Judge or Commissioner to the condemning or taking away the life of the King, or any Peer other Subject, We declare to be High Treason, and wilfull Murder) to dishnerit the Prince of *Wales* of the Crown of *England*, or against Proclaiming him King after his Royal Fathers late most impious, trayterous and barbarous Murder,

der, or to alter the Monarchical Government, Laws, Great Seal, Judicatories, and ancient forms of Writs and legal processes and proceedings, or to keep up, or make good any Commissions, Judges, or Officers made void by the Kings bloody Execution, or to continue any old, or raise any new forces or armies, or to impose any new Taxes, payments, Oathes, or forfeitures on the Subjects, or to take away any of their lives, liberties or Estates, contrary to the Fundamental Laws of the Realm, or to make any New Judges, Justices, Officers, or to set aside the House of Peers, (far ancienter than the Commons house) and particularly this insolent and Frantique Vote of theirs, Feb. 9. [*That the House of Peers in Parliament is useless and Dangerous, and ought to be abolished, and that an Act be brought in for that purpose*] to be not only void, null, and illegal in themselves by the laws and statutes of this Realm, but likewise treasonable, detestable and tyrannical, and destructive to the privileges, rights and beings of Parliaments, the just prerogatives and personall safety of the Kings of England, the Fundamental Government and Laws of the Realm, the lives, liberties, properties and Estates of the people, and the most transcendent tyranny and usurpation over the King, Kingdom, Parliament, Peers, Commons and Freemen of England ever practized or attempted in any age, tending only to dishonor, enslave, and destroy this ancient flourishing Kingdome, and set up anarchy and confusion in all places. All which exorbitant and traitorous Usurpations, We and all Free-born Englishmen are by all Obligations bound to oppose to the uttermost with our lives and fortunes, lest we should be necessary to our own and our posterities slavery and ruine; for preventing whereof we have lately spent so much blood and Treasure against the Malignant party, whose treasons and insolences they far exceed.

Thus they protested: but in vain it was to think by protestation to reduce those men to reason, who had swords by their sides, and who were resolved to persist in the maintenance of their usurped power, and abolishing what ever was right, as the most likely to oppose their intrusion, and therefore on the 7. of May it was resolved by the Commons of England assembled in Parliament, *That it had been found by experience (wherefore this House did declare) That the office of a King in this Nation and to have the power thereof in any single person, was unnecessary, burdensome, and dangerous to the liberty and safety and publick interest of this Nation, and therefore it ought to be abolished, and an Act was ordered to be brought in for that purpose:* But because by reason of these proceedings and alterations of Fundamentals, publick Justice was altogether obstructed, the Judges having no commissions to act by: Their new Seal being now ready (whereon they had engraven on the one side the Arms of England & Ireland, with this inscription, *The Great Seal of England, & on the reverse the Picture of the house of Commons sitting, circumscribed, In the first year of freedom by Gods blessing restored, 1648.*) the House of Commons (or indeed not the fourth part of them) who never yet were other than a Consultory, not a Judicatory Court, give order for the drawing commissions for the Judges, and a Committee of the House was appointed to meet the Judges about it; whereof (upon provision made by an Act of the House of Commons, *That they were fully resolved to maintain and should and would uphold preserve and keep the fundamental Laws of the Nation, in order to the preservation of the lives, properties and liberties of the people, with all things incident thereunto, notwithstanding the alterations already resolved in this present Parliament for the good of the people, &c.*) six, to wit, Mr. Justice Rolfe, and

The Civill Warres

1648.

Judge *Jermin* of the Kings Bench, Mr. Justice *Saint-John*, and Judge *Pheasant* of the common Pleas, and chief Baron *Wilde*, and Baron *Tates* of the Exchequer, received their commissions from the Keepers of the New Great Seal, Mr. *Keeble*, Mr. *Whitlock*, and Mr. *Lisle*, and contented themselves to act according to the alterations the Parliament had made in the Law by enacting all writs no more to run, *Carolus Dei gratia*, &c. but in the name, stile and test, *Custodes Libertatis Angliae autoritate Parliamenti*: which was certainly, what ever might be pretended, an alteration of the Law of the Land, as well as the abolishing Kingship and the House of Peers; which the other six Judges, to wit Justice *Bacon*, Justice *Brown*, Sir *Thomas Boddensfeld*, Justice *Creswell*, Baron *Treavor*, and Baron *Atkins* knew very well, and therefore chose rather to lose their places, than their consciences; but their rooms were soon supplied, and the number being compleated their Circuits were appointed, their commissions having some small alterations from what they were formerly given; but a new Oath was imposed, whereby they were to swear well and truly to serve the Commonwealth in the Office of a Justice of the Upper Bench, (for so was the Kings Bench now ordered to be stiled) or common Pleas according to their best skill and cunning. But besides these new Oaths which those who were entrusted under them were to take: Those who were to be made free of the City of London had their Oath altered from swearing Allegiance to their King, and were now to swear to be true and faithfull to the Commonwealth of England. And to the intent that all persons might the more readily yeeld obedience to their usurped power, they are absolved of all Oathes made to their Sovereign and his posterity, by an Act passed for the repealing the severall Clauses in the Statutes of the 1. *Eliz.* and 3. *Jacobi*, enjoying the Oathes of Allegiance, Obedience and Supremacy, and Enacting, That the said Oaths and all other Oaths of the like Nature, should be and were thereby wholly taken away, and the said clauses in the said Acts to be made void and null, and should not hereafter be administered to any person, neither should any place or office be void hereafter, by reason of the Not taking of them, or any of them, any Law, custom or statute to the contrary notwithstanding. Thus Dictated by the Council of War, acted this part of a Parliament, for they were but only the Wheels of the Government, guided at the will and pleasure of the Army, who yet thought themselves not strong enough till a third power was set up to harraile these Nations, and to strengthen them in their usurpation; this they called a Council of State, consisting of forty persons to whom power was given to command and settle the Militia of England & Ireland, to order the Fleet, and set forth such a considerable Navy as they should think fit; To appoint Magazines and Stores for the Kingdoms of England and Ireland, and to dispose of them from time to time for the service of both Nations, as they should think fit; That they should have power to sit and execute these powers for the space of one whole year. This Council consisted chiefly of the Grand Officers of the Army, though many persons of quality were first nominated amongst them; but to drive those away from their Hive of profit and command, an expurgatory Oath was found out, whereby every Member that was admitted unto that Council was to declare, That he approved of what the House of Commons, and their High Court of Justice had done against the King, and of their abolishing Kingly Government, and the House of Peers, and that the Legislative and Supream power was wholly in the House of Commons. This Oath one and twenty of the Forty refused to take; but with nineteen of them without reluctance, who had

of Great Britain and Ireland.

had soon their number made up by persons of as large consciences as themselves; when the Oath administered was altered into this form,

301

1648.

I A. B. being nominazd a Member of the Council of State by this present Parliament do testifie, That I do adhere unto this present Parliament in the maintenance and defence of the publick Liberty and Freedom of this Nation, as it is now declared by this Parliament, by whose Authority I am constituted a Member of the said Council, and in the maintenance and defence of their Resolutions concerning the settlement of the Government of this Nation for the future, in way of a Republique, without King or House of peers; and I do promise in the sight of God, that through his grace I will be faithfull in performance of the Trust reposed in me as aforesaid, and therein faithfully pursue the instructions given to the said Council by this present Parliament, and not reveal or disclose any thing in whole or in part, directly or indirectly, that shall be debated or resolved upon in the Council, without the command or direction of the Parliament, or without the order or allowance of the major part of the Council or of the major part of them that shall be present at such Debates or Resolutions; and in confirmation of the premises, I have hereunto set my Hand, &c.

Thus was this power established, and now instead of King, Lords and Commons, the Antient and Fundamental Government of the Nation, we were like to be governed by a new made Thing called a Council of State, an Army, and a quarter part, or lesse of the Commons House.

CHAP. LXXXVII.

The Tryals of Duke Hammliton, the Earl of Holland, the Lords Capell and Goring, and sir John Owen; The three first executed.

AS those in Authority had wrested their power out of the Kings hands by shedding of his precious Royal blood, so they resolve to keep it coloured in the same Crimfon-dye, and having no more Blood of so much worth to shed, will sacrifice the best they have to ensuring of what they had usurped, and therefore the High Court of Justice is again revived for the Tryal of those Peers whom this years misfortune had thrown into their hands; such were Duke Hammliton, the Earl of Holland, the Lord Capell and Goring, and Sir John Owen. Duke Hammliton was the first brought upon the Stage, where his Lord and Master had received his Doom, and was charged for his late Invasion of England, though he pleaded himself to be a Forreiner, and demanded the benefit of Quarter promised by Lambert, and avouched by Hugh Peters; yet he was told by the Court, that he was brought to the Bar not as Duke Hammliton, but as Earle of Cambridge, an English Title; and as to the second, Hugh Peters absolutely denied what he had before attested, only to gain a confession out of the Duke of those who had invited him in, and Collonel Wayte to whom he yielded himself attested, That he yielded himself simply, without any mention of Quarter, And that Lambert was not then by: so the Duke refusing to his very death the confession of any persons who were his Invitors to that Invasion, had his Sentence to be beheaded; and accordingly on the 9. of March was brought to the Scaffold in the Palace yard at Westminster, where having made some delays in Expectation of a reprieve to be sent him by the Earl of Denbighs means;

The Civill Warres

means; he finding that he had only been carried fair to bring him to that confession; but now seeing no hopes, spake thus to the People;

I Think it truly not very necessary for me to speak much, there are many Gentlemen & Souldiers here that sees me; but my voice truly is so weak, so low, that they cannot hear me, neither truly was I ever at any time so much in love with speaking, or with any thing I had to expresse, that I took delight in it, yet this being the last time that I am to do so, by a Divine Providence of Almighty God who hath brought me to this end justly for my sins, I shal to you, Sir, Mr, Sheriff, declare thus much, as to the matter I am now to suffer for, which is as being a Traytor to the Kingdom of England; truly Sir it was a Country that I equally loved with my own, I made so great difference, I never intended either the generallie of its prejudice, or any particular mans in it; what I did was by the commands of the Parliament of the Country where I was born; Whole Commands I could nor disobey, without running into the same hazard there of that condition that I am now in; the Ends Sir of that Engagement is publique, they are in print; and so I shal not need to specifie them. I pleaded God so to dispose of the Army my Command as it was ruined: and I as their General clothed with a Commission, stand here now ready to die. I shal not trouble you with repeating of my Plea, what I said in my own defence in the Court of justice; my self being satisfied with the Command that is laid upon me, and they satisfied with the justnesse of their procedure according to the Laws of this Land. God is just, and howsoever I shall not say any thing as to the matter of the Sentence, but that I do willingly submit to his Divine providence; and I acknowledge that very many wayes I deserve even a worldly punishment, as well as hereafter, for we are sinful Sir, and I a great one; yet for my comfort I know there is a God in Heaven that is exceeding merciful, I know my Redeemer sits at his Right Hand, and am confident (*clapping his hands to his breast*) is meditating for mee at this present, I am hopefull through his free grace and all-sufficient merits to be pardoned of my sins, and to be received into his mercy: upon that I rely; trusting to nothing but the free grace of God through Jesus Christ: I have nothing been tainted with my Religion, I thank God for it, since my Infancy, it hath been such as hath been professed in the Land and established; and now 'tis not this Religion, nor that Religion, or this or that Fancy of men that is to be built upon, 'tis but one that is right, one that's sure, and that comes from God Sir: and in the free grace of our Saviour Sir there is something that:--- *Observing the writers*;-- Had I thought my speech would have been thus taken, I would have digested it into some better method then now I can, and shall desire those Gentlemen that do write it, that they will not wrong me in it, and that it may not in this manner be published to my disadvantage; for truly I did not intend to have spoken thus when I came here: There is Sir, terrible aspersions have been laid upon my self, truly Sir, as I thank God I am very free from; as if my actions and intentions had not been such as they were pretended for: but that notwithstanding what I pretended, it was for the King, there was nothing lesse intended than to serve him in it; I was bred with him for many years, I was his Domestick Servant, and there was nothing declared by the Parliament, that was not really intended by me; and truly in it I ventured my life one way, and now I lose it another way: and that was one of the ends as to the King, I speak not only of that, because it has many particulars, and to clear my self

self from so horrid an Aspersion as is laid upon me, neither was there any other Design known to me by that in-comming of the Army, than what is really in the Declaration published, his Person I do profess I had reason to love, as he was my King, and as hee had been my Master, it has pleased God now to dispose of him; so as it cannot be thought to have said this, or any end in me for the saying of it, but to free my self from that Calumny which lay upon me, I cannot gain by it, yet Truth is that which we shall gain by for ever: There hath been much spoken Sir of an invitation into this Kingdom, it is mentioned in that Declaration, and truly to that I did and do remit my self; and I have been very much laboured for discoveries of those Inviters, tis no time to dissemble how willing I was to have served this Natiō in any thing that was in my power is known to very many honest and pious religious men, and how readily I would have done what I could to have served them, if it had pleased them to have preserved my life, in whose hand there was a Power; they have not thought it fit, and so I am become unuseful in that which willingly I would have done, as I said at first, so I say now, concerning that point; I wish the Kingdoms happinesse, I wish it peace, and truly Sir, I wish that this Blood of mine may be the last that is drawn, and howsoever I may perhaps have some reluctancy with my self as to the matter of my Fact, for my Suffering for my Fact, yet I freely forgive all Sir, I carry no rancor with me to my Grave, his Will be done, who has created Heaven and Earth, and me a poor miserable sinfull Creature, now speaking before him; for mee to speak, Sir, to you of State businesse and the Government of the Kingdom, or my opinion in that, or for any thing in that nature, truly it is to no end, it contributes nothing, my own inclination hath been for peace from the beginning, and it is known to many that I never was an ill Instrument between the King and his People, I never acted to the prejudice of the Parliament, I bore no Arms, I medled not with it, I was not wanting in my Prayers to God Almighty for the happinesse of the King; and truly I shal pray still, that God may so direct him, as that may be done which shal tend to his Glory, and the peace and happynesse of the Kingdom. I have not much more to say that I remember, for the profession of my Religion, that which I said was the established Religion and that which I have practised in mine own Kingdom where I was born and bred, my Tenents they need not to be exprest, they are known to all, and I am not of a rigid opinion, many Godly men there is that may have scruples which do not concern me at all at no time, they may differ in opinion, and now more then at any time; differing in opinion does not move me, (nor any mans) my own is clear Sir, the Lord forgive me my sins, and I forgive freely all those that even I might as a Worldly man have the greatest animosity against; We are bidden to forgive, Sir, 'tis a Command laid upon us, and there mentioned, Forgive us our Trespases as we forgive them that Trespase against us.

Having ended his Speech he had some pious Discourse with Doctor *sibbald*, & some publik and private prayers, He laid down his Head on the Block, and had it cut off by the Executioner: at one blow.

A person as unfortunate as he was ambitious, and so alwayes esteemed the King himself, being reported to have said when he heard he was to command that Army, That it would be assuredly lost, he bringing from *Scotland* a greater Enemy than any he was likely to find in *England*, which possibly spurred him on to his own destruction: but it has

The Civill Warres

has been generally observed, That those who have once proved disloyal to the King their Master, or had openly, or otherwise, acted against him, had never so much of the blessing of God as to prove successfull in any attempt they made, either for the re-establisment of his Person, or restoration of his Successour; witness in the first place Sir John Hotham, accursed (as himself in one of his Letters to Oxford said,) in his Mothers womb; the fruitlesse Revolt of Poyer, Langborn, and Powel in Wales; the losse of that great Army under Duke Hammiton, of whom we were now speaking, & the unfortunate successe of the Earl of Holland in his Surrey Insurrection, besides many other Examples, as of Montrose and Inchiquene in Scotland and Ireland. But to proceed, the next that was brought upon the Stage was the Earl of Holland, charged for endeavouring to raise Arms against the Parliament, and drawing the Duke of Buckingham, and others in to him; the matter of Fact he confessed, but urged the many services before done to the Parliament, and pleaded the benefit of Quarter given him at Saint Needs. To the first, it was answered, That he had once before deserted the Parliament, yet upon return had his Sequestration taken off, when he protested that he would for ever serve them with his Life and Fortunes; but contrary to that promise had now endeavoured an Insurrection in Surrey against them, to the shedding of innocent blood. As for the benefit of Quarter, it was denied that any was given him, but that he yielded to mercy: So Sentence was pronounced against him, and on the ninth of March, presently after Hammitons death, he was brought to the Scaffold in the Palace-yard, where being come he spake to this effect,

I Think it is fit to say something here since God hath called me to this place. The first thing which I must profess is, what concerns my Religion, and my breeding, which hath been in a good Family, that hath ever been faithfull to the Protestant Religion, in the which I have been bred, in the which I have lived, and in the which by Gods grace and mercy I shall die; I have not lived according to that education I had in that Family where I was born and bred; I hope God will forgive me my sins, since I conceive it is very much his pleasure to bring me to this place for the sins that I have committed, the cause that hath brought me hither I believe by many hath been mistaken, they have conceived that I have had some ill Designs to the State, and to the Kingdom: truly I look upon it as a judgement, and a just judgement of God, not but I have offended so much the State and the Kingdom, and the Parliament, as that I have had an extream vanity in serving them very extraordinary; for those Actions that I have done, I think it is known they have been ever very faithfull to the publick, and very particularly to the Parliaments, my Affections have been ever exprest truly and clearly to them, the disposition of Affairs now have put things in another posture than they were in when I was engaged with the Parliament. I have never gone from those principles that ever I have professed, I have lived in them; and by Gods grace will dye in them; there may be Alterations and changes that may carry them farther than I thought reasonably, and truly there I left them: but there hath been nothing that I have said or done, or professed, either by Covenant or Declaration, which hath not been very constant, and very clear, upon the principles that I ever have gone upon, which was to serve the Parliament, Religion, (I should have said in the first place) the Common-wealth, and to seek the peace of the Kingdom, that made me think it no improper

of Great Britain and Ireland.

305

1648.

proper time, being prest out by accident or circumstances, to seek the peace of the Kingdom, which I thought was proper, since there was something then in agitation, but nothing agreed on for sending Propositions to the King, that was the farthest aim I had; and truly beyond that I had no intention, none at all, and God be praised, although my blood comes to be shed here, there was, I think, scarce a drop of blood shed in that action that I was engaged in. For the present Affairs, as they are, I cannot tell how to judge of them, and truly they are in such a condition as I conceive no body can make a judgement of them; and therefore I must make use of Prayers, rather than of my opinion, which are, that God would bless this Kingdom, this Nation, this State, and that he would settle it in a way agreeable to what this Kingdom hath been happily governed under, by a King, by the Lords, by the Commons, a Government that I conceive it hath flourished much under, and I pray God the change of it bring not rather a prejudice, a disorder and confusion, then the contrary. I look upon the posterity of the King, and truly my conscience directs me to it, to desire that if God be pleased that these people may look upon them with that affection that they owe; that they may be called in again, and they may be not through blood nor disorder admitted again into that power, and to that glory, that God in their birth intended to them; I shall pray with all my soul for the happiness of this State, of this Nation, that the blood that is here spilt may even be the last that may fall among us; and truly I should lay down my life with as much cheerfulness as ever person did, if I conceived that there would no more blood follow us; for a State, or Affairs that are built upon blood, is a Foundation, for the most part, that doth not prosper. After the blessing that I give to the Nation, to the Kingdom, and truly to the Parliament, I do with wish all my heart happiness, and a blessing to all those that hath been the Authors in this business, and truly that have been authors in this very work that bringeth us hither; I do not only forgive them, but I pray heartily and really for them; as God will forgive me my sins, so I desire God will forgive them, I have a particular relation, as I am Chancellor of Cambridge, and truly I must here, since it is the last of my prayers, pray God, that that University may go on in that happy way which it is in, that God may make it a Nursery to plant those persons that may be distributed to the Kingdom; that the souls of the people may receive a great benefit, and a great advantage by them; and I hope God will reward them for their kindness, and their affection that I have found from them. I have said what Religion I have (*looking towards Doctor Bolton*) been bred in, what Religion I have been born in, what Religion I have practized: I began with it, and I must end with it; I told you that my Actions & my Life have not been agreeable to my breedings; I have told you likewise the Family where I was bred hath been an exemplary Family, I may say (so I hope without vanity) of much affection to Religion, and of much faithfulness to this Kingdome, and to this State; I have endeavoured to do those Actions that become an Honest-man, and a good English man: And which became a good Christian, I have been willing to oblige those that have been in trouble, those that have been in persecution, and truly I find a great reward of it; for I have found their prayers and their kindness now in this distress, and in this condition, and I think it a great reward; I pray God reward them for it, I am a great sinner, and I hope God will be pleased to hear my prayers to give me faith to trust in him; that as he hath called me to death at this place, he will make it but a passage to an eternal

life

1648.

life through Jesus Christ; which I trust to, which I rely upon, and which I expect by the mercy of God; and I pray God blesse you all, and send that you may see this to be the last Execution, and the last blood that is likely to be spilt among you. And then turning to the side rayl he prayed for a good space of time: and having had some pious discourse with Mr. Bolton, and Mr. Hodges, he laid his neck on the block, and at one blow the Executioner severed his head from his body.

Next to him was the Lord Capell brought upon the Stage, a person certainly of as clear a courage and magnanimity as most England could boast of: He was taken at the Rendition of Colchester, but had once made an adventurous escape out of the Tower by leaping into the Moat; he was soon after by the treachery of a limping Water-man, for the gain of a hundred pounds set by the Parliament on his head, betrayed and retaken, and now brought to his Tryal before the High Court of Justice; where notwithstanding he pleaded the benefit of the Articles of surrendring; and that many that were at Colchester, and in his condition, had been admitted to compound, craving that he might be referred to Martial Law: and afterwards when that was denied, desiring that he might not be debarred of Additional Defence; and that if he must be tryed by the common Law, he might have the full benefit of the Declaration of Commons, the 19. February last, which enacteth and declareth, That though King and Lords be laid aside, yet all other the Fundamentall Laws shall be in force concerning the Lives, Liberties, and properties of the Subject, and recommending to them *Magna Charta, The Petition of Right, 3 Caroli*, and an Act made Henry 7. for Indemnity of all such as adhered to the present King in possession; also the Exception in the Act of Attainder of the Earl of *Strafford*, and the Archbishop of *Canterbury*, which sayes, their cases shall not be used as a Precedent against any man: He desired to see his Jury, and that they might see him, and so might be tryed by his Peers, saying, he did believe no Precedent could be given of any Subject tryed but by Bill of Attainder in Parliament, or by a Jury. But it was in vain to plead either Law or Reason to those men who had resolved his doom, both against Law or Equity: so sentence of death was passed on him, and next to the Earl of *Holland* brought to the Scaffold, where behaving himself with expected gallantry, he thus spake to the people:

The conclusion that I made with those that sent me hither, and the cause of this violent death of mine shall be the beginning of what I shall say to you; when I made an Addresse to them (which was the last) I told them with much sincerity, that I would pray to the God of all mercies, that they might be partakers of his inestimable and boundless mercies in Jesus Christ; and truly I still pray that prayer, and I beseech the God of Heaven to forgive any injury they have done to me, from my soul I wish it; and this I tell you as a Christian, to let you see that I am a Christian. But it is necessary I should tell you somewhat more, that I am a Protestant; and truly I am a Protestant, and very much in love with the profession of it, after the manner as it was established in England by the Thirty nine Articles, a blessed way of profession, and such a one as I never knew none so good. I am so far from being a Papist, which some body have very unworthily at some time charged me withall; that I profess to you, that though I love good Works, yet I hold that they have nothing at all to do in the matter of Salvation. My Anchor-hold is this: That Christ loved me, and gave himself for me, that is that I rest upon: And something I shall say to you as a Citizen of the whole world, and in that consideration

ration I am here condemned to die, contrary to the Law that governs all the world, that is the Law of the Sword. I had the protection of that for my life, and the honour of it; but I will not trouble you much with that, because in another place I have spoken more largely and liberally about it; I believe you will hear by other means what Arguments I used in that case, but that that you that are Englishmen behold here an English man before you, and acknowledged a Peer, not condemned to die by any Law of England; nay I shall tell you more, which is strangest of all, contrary to all the Laws of England that I know of, and truly I will tell you, in the matter of the civil part of my death, and the cause that I have maintained I die; I take it for maintaining the fifth Commandment enjoined by God himself, which enjoins Reverence and Obedience to Parents: All Divines on all hands, though they contradict one another in many things, yet all Divines on all hands do acknowledge that here is intended Magistracy and Order; and certainly I have obeyed that Magistracy, and that under which I lived, which I was bound to obey: and I do say very confidently that I do die here for keeping, for obeying the fifth Commandment given by God himself, and written with his own finger. And now Gentlemen, I will take this opportunity to tell you, that I cannot imitate a better nor a greater ingenuity then his that said of himself, for suffering an unjust judgement upon another himself was brought to suffer by an unjust judgement. Truly Gentlemen, that God may be glorified, that all men that are concerned in it, may take the occasion of it, of humble repentance to God Almighty for it, I do here profess to you that I did give my Vote to that Bill against the Earl of *Strafford*; I doubt not but God Almighty hath washed that away with a more precious blood, the blood of his own Son and my dear Saviour Jesus Christ; and I hope he will wash it away from all those that are guilty of it. Truly this I may say, I had not the least part nor degree of malice in doing of it; but I must confesse again to Gods glorie, and the accusation of my own frailty, and the frailty of my nature, that it was unworthie cowardize not to resist so great a torrent as carried that business at that time; and this I think I am most guiltie of, of not courage enough in it, but malice I had none: but whatsoever it was, God I am sure hath pardoned it, hath given me the assurance of it, that Christ Jesus his blood hath washed it away; and truly I do from my soul wish, that all men that have any stain by it may seriously repent and receive a remission and pardon from God for it. And now Gentlemen, we have had an occasion by this intimation, to remember his Majestie, our King that last was, and I cannot speak of it, think of it, but I must needs say in my opinion, that have had time to consider all the Images of the greatest & vertuouslest Princes in the world, and in my opinion, there was not a more vertuous and more sufficient Prince in the world then our gracious King *Charles* that died last. God Almighty preserve our King that now is, his Son; God send him more fortune and longer dayes; God Almighty so assist him, that he may exceed both the vertues and sufficiencies of his Father: For certainlie I that have been a Counsellor to him, and have lived long with him, and in a time when discovery is easily enough made; for he was young, he was about thirteen, fourteen, fifteen or sixteen years of age, those years I was with him; truly I never saw greater hope of vertue in any young person then in him; great judgement, great understanding, great apprehension, much honour in his nature, & trulie a very perfect Englishman in his inclination, & I pray God restore him to his Kingdom, & unite the Kingdoms one to another, & send a great happiness both to you and to him, that hee

The Civill Warres

1648.

may long live and reign among you; and that the Family may reign till thy Kingdome come, that is, while all Temporal power is consummated. I beseech God of his mercy give much happinesse to this your King, and to you that in it shall be his Subjects by the grace of Jesus Christ: I like my beginning so well, that I make my conclusion with it, that is; That the Almighty would confer pardon of his infinite and inestimable grace and mercy on those that are the causes of my coming hither, I pray God give them as much mercy as their hearts can wish; and truly for my part, I will not accuse any one of malice, I will not, nay I will not think there was any malice in them, what other ends there is I know not, nor will I examine, but let it bee what it will, from my very soul I forgive them every one, and so the Lord of Heaven blesse you all, God Almighty be infinite in his goodnesse and mercy to you, and direct you in those wayes of obedience to his commands to his Majesty, that this Kingdom may be a happy and glorious Nation again, and that your King may bee a happy King in so good and so obedient a people. God Almighty keep you all, God Almighty preserve this Kingdom, God Almighty blesse you all.

Then turning about and looking for the Executioner who was gone off the Scaffold, said, which is the Gentleman, which is the man? answer was made he is comming; hee then said stay, I must pull off my Doublet first, and my wastecoeat: and then the Executioner being come on the Scaffold, the Lord Capell said, O friend, prethee come hither: then the Executioner kneeling down, the Lord Capell said, I forgive thee from my soul, and not only forgive thee, but shall pray to God to give thee all grace for a better life: there is five pounds for thee, and truly for my cloaths and those things, if there bee any thing due for it, you shall be fully recompensed, but I desire my body may not be stripped here, and no body to take notice of my Body but my own Servants: Look you friend to this, I here desire of you, that when I lie down you would give me a time for a particular short prayer. Then Lieutenant Collonel Beccher said, make your own sign my Lord, The Lord Capell answered, stay a little, which side do you stand upon, speaking to the Executioner, stay, I think I should lay my hands forward that way, pointing fore-right, and answer being made, yes; he stood still a little while, and then said, God Almighty blesse all this People, God Almighty stench this blood, God Almighty stench, stench, stench this issue of blood, this will not do the businesse; God Almighty find out another way to do it, and then turning to one of his Servants, said, Baldwin, I cannot see any thing that belongs to my Wife; but I must desire thee, and beseech her to rest wholly upon Jesus Christ, to be contented & fullie satisfied, and then speaking to his Servants, he said, God keep you: and Gentlemen, let me now do the businesse quickly, privatelie, & pray let me have your prayers at the moment of Death, that God would receive my soul. Then telling the Executioner that he had forgiven him, & therefore he should strike boldly, he addressed himself with an undaunted courage to the Block, where having lain some short time, powring forth some private Ejaculations, he gave the sign, and had his Head by the Executioner chop off at one blow.

Thus dyed these three Lords, of whom only the last was pitied: a man he was who had been constantlie loyal to his King, and now dyed for that cause which he had ever maintained, whereas the other two were deemed to have suffered more justlie, in that they had once betrayed and deserted the King: Here the mercy of the Junctio of Commons stayed the mercilesse proceedings of their high Court of Justice, who had like-

wile

wile condemned the Earl of *Normich*, and *Sir John Owen* to the Block; But the question being put in the House for their pardon (which *Goring* carried onlie by two voices) they escaped. But that the Kings friends might be made Spectacles of miserie in other places of the Kingdom as well as at *London*, Major *Munday* who had been a constant assertor of Loyalty to his Majestie, was shot to death at *Lancaster*, being condemned by a Council of War, Lieutenant Collonel *Morries* who had surprized *Pontefract* Castle at the time of those risings in 1648. and held out the siege till the 24. of *March* ensuing, were nine Moneths, in which time he had much annoyed the Enemy by desperate services, one of which was particularly the sending out a smal Party as far as *Doncaster*, who slew Collonel *Rainsborough*, and returned safe, was now for want of Ammunition forced to surrender upon hard Conditions, the private Sculdiers being most *Yorkshire* men to have fair Quarter and return to their homes, and the Castle to be demolished, but the Governour and five others to be submitted to Mercy; yet upon the surrendry himself with Cornet *Blackburn*, another of the excepted Persons, made a shift to escape, but being afterwards retaken, were by a special Commission of Oyer and Terminer tryed at *Tork*, and condemned to be hanged, drawn, and quartered as Traitors, which sentence was accordingly performed; he behaving himself as Gallantly at his death as he had done in defending the Castle of *Pontefract* so long against the Enemies of His King & Country. Shortly after these, that we may sum them up together, those three eminent revoltors in *Wales*, *Poyer*, *Laughorn* & *Powell*, were by a Council of War tryed for their lives and condemned; but in regard of some good Services they had formerly done for the Parliament, the sentence was mitigated, and they appointed to cast Lots for their lives, which falling upon *Poyer*, he was on the 25. of *April* 1649. shot to death. Yet would not all this blood quench the thirst of the Antimonarchists, who were resolved to proceed against Loyalty where ever they found it; And well might they thus Tyrannize over the Subjects, when they had put to death one King, disinherited his Children, and those who had been the Subverters of all the Fundamental Laws of the Land, the adventure arraigning of Law it self; the Reverend Judge *Jenkins* who having been kept a Prisoner ever since the surprizer of *Hareford*, was now with *Sir John Stowell* (notwithstanding this last was fully comprehended in the Articles of *Exeter*) voted to be tried at the Kings Bench barr, now by them stiled the Upper Bench, hardly any thing being to be alledged against *Sir John Stowell*, but that he had a great Estate; yet one would have thought that the Bishops, Deans and Chapter Lands, the Estates of the King, Queen, Prince, Duke of *Tork*, Duke of *Buckingham*, Marquess of *Worcester*, Marquess of *Newcastle*, Earl of *Bristol*, *George* Lord *Digby*, *Sir William Withrington*, *Sir Philip Mulgrave*, *Sir Marmaduke Langdale*, *Sir Richard Greenville*, *Sir Francis Doddington*, *Sir John Culpepper*, and *Sir John Byron*, whom as Traitors they banished the Realm, & confiscated their whole Estates, besides many others; and the vast Sums of money extorted from those who were admitted to Compositions, who were many of them forced almost to buy out what was their own, and then when they had paid great Sums of money, the Juncto knowing the necessities of many of them, made a strict Act enjoining them to the perfecting of their Compositions by a prefixed time; so that many of them, not being able to raise their moneys, were forced to undergo the penalties inflicted to their almost utter ruine, and many to the total undoing of themselves and Families; but it was policy both in the Army and their Juncto to weaken and impoverish that party, whole

1648.

whole Loyalty they knew would upon any occasion presenting embolden them to the opposition of them, their Tyrannies and Usurpations, and therefore it would bee much for their security to keep such under by a needy poverty.

CHAP. LXXXVIII.

The Scots dissent and protest against all Proceedings against the King, They proclaim King CHARLES the second, and send Commissioners to invite Him over.

THE Scots who had sold and delivered up the King to the *English* Army, hearing of the resolutions to proceed against him for his life, now dissent, and sensible of the Infamy which would redound to their Nation by his Murder, in their Parliament which began on the fourth of *January*, unanimously expresse their disagreement of the *English* proceedings, both in their intended Toleration of Religion in reference to the Covenant, their tryal of the King, and alteration of the Form of Government: and to expresse so much to them at *Westminster*, Commissioners were sent with some Papers, expressing their dislike; and by their Proclamation of the 19. of *January*, publicly let it forth, Declaring, that the Kingdom of *Scotland* had an undoubted interest in the person of the King, who was not delivered to the *English* Commissioners at *New-Castle* for the ruine of his Person, but for more speedy settlement of the Peace of his Kingdoms. That they extremely dissented and declared against the Tryal of him, in regard of the great miseries that were like to ensue upon the Kingdoms. And craving leave to make their Personal Addresses to the King, Papers of the like nature were likewise delivered to the General, but notwithstanding this Publick shew, some private Instructions were delivered to the Commissioners from the Faction in *Scotland*, which manifest that their dissent was not to be so vigourously proceeded upon as it ought to have been, and those were to this effect.

That they should use in their Amplifications the same mentioned that it seemed not so import by proof of any violence used against the Parliament, or any Member thereof. That they should make their Adresse to such Lords & Commons as were their friends and not ill affected to the honest party. That their Amplifications be so concise, that they give no occasion of offence. That nothing proceed from them justifying the Kings proceedings, nor in approbation of the late Engagement, or which might import a breach, or give, or be a ground of a new War. That they would delay to meddle with the Kings Person, according to their severall Promises and Declarations at *New-castle*, and at *Helmsby*. That if they should proceed to Sentence against the King, then to enter their Dissent and Protest, that this Kingdom may be free from the miseries which will inevitably follow, without offering in your Reasons that Princes are exempted from Tryal and Justice. That none in this Parliament hath, or had any hand in the Proceedings against the King and Members of Parliament: It they proceed, then to shew the Calamities which will follow, and how grievous it will be to this Kingdom, considering his delivering up at *Newcastle*. That if the Papers called *the Agreement of the People*, should be posted, and should import any thing concerning the Processing of the Prince, or changing the Fundamental Government of the Kingdom, that they enter their Dissent

Dissent. That they should alter these Instructions, or manage their Trust therein according to the advice of their friends there. That they should prosecute their Instructions concerning the Covenant, and against the Toleration. That they shew that the Kings last Concessions are unsatisfactory to theirs in point of Religion.

These were the *Scots* Instructions to their Commissioners; but neither they nor their Instructions or Declarations could at all deter the Army and their Juncto sitting in the Parliament House from their Proceedings against the King, but still on they went as aforesaid, till they had perfected their intentions and Designs by his Murther, wherefore on the 22 of *January*, they make their Protest against it by their Declaratory Letter to the Parliament, Shewing,

That by their Letter of the sixt of the Said Moneth, They had represented unto them what endeavours had been used for the taking away of his Majesties Life; for the change of the Fundamental Government of this Kingdom, and introducing a full & ungodly Toleration in Matters of Religion, and that therein they did expresse their thoughts and great fears of the dangerous consequence which might follow thereupon, & did further earnestly presse that there might be no proceeding against his Majesties Person, which would certainly continue the great Distractions of the Kingdoms, and involve them in many Evils, Troubles and Confusions: But that by the free councils of both Houses of Parliament of *England*, and with the advice & consent of the Parliament of *Scotland*, such course might be taken in relation to him as might bee for the good and happinesse of these Kingdoms, both having an unquestionable & undeniable right in his Person as King of both; which duely considered, they had reason to hope it would have given a stop to all proceedings against his Majesties Person. But now understanding, that after the imprisonment, and clusion of many Members of the House of Commons, & without and against the consent of the House of Peers, by a single Act of theirs alone, power was given to certain persons of their own Number of the Armie, and some others, to proceed against his Majesties Person, in order whereunto he had been brought upon the Saturday last before that extraordinary New Court; They did therefore in the Name of the Parliament of *Scotland*, for their vindication from false aspersions and calumnies, declare; That though they were not satisfied with his Majesties Concessions in the late Treaty at *Newport* in the Island of *Wight*, especially in the matters of Religion, and were resolved not to crave his Majesties Restoration to his Government before satisfaction were given by him to that Kingdom; yet they did all unanimously with one voice, nor one Member excepted, disclaim the least knowledge of, or accession to the late proceedings of the Army here against his Majestie: and sincerely professing that it would be a great grief unto their hearts, and lie heavy upon their spirits, if they should see the trusting of his Majesties Person to the Honourable Houses of the Parliament of *England*, to be made use of to his Ruine, contrary to the declared Intentions of the Kingdom of *Scotland*, and Solemn Professions of the Kingdom of *England*. And to the end that it might be manifest to the World how much they did abominate and detest so horrid a design against his Majesties Person: they did in the Name of the Parliament and Kingdom of *Scotland*, hereby declare their dissent from the said proceedings, and the taking away of his Majesties life, protesting, That as they were altogether free from the same, so they might be free from all the evils, miseries, confusion and calamities that might follow thereupon to these Distracted Kingdoms.

The Civill Warres

1648.

To this Protestation of the *Scots* Commissioners in the behalf of their Parliament & that whole Kingdom, the Juncto of the House of Commons in England (for I cannot call them a Parliament, though they usurped that Title to themselves, without doing wrong to my Country, they consisting of not above a fifth part of the House of Commons; whereas by the known Fundamentall Laws of the Lands, Parliaments do, and ought to consist of three Estates, viz. King, Lords and Commons) returned Answer,

That in the Last Paragraph of the *Scots* Commissioners Letter of the Sixth of *Januarie*, they had the Epitome of their whole Large Letter contracted and a Possession of their Opinion, what it was their Duty to Endeavour: That to that Part concerning Religion, They had before declared their Opinion as they also had to that part which concerned the power of this Nation in the Fundamentals of Government: That if *Scotland* had not the same power or liberty, as they went not about to confine them, so they would not be limited by them; but (leaving them to act in relation to theirs as they should see cause) they resolved to maintain their own Liberties as God should enable them; and as they were far from any thoughts of imposing upon them, so they should not willingly suffer impositions from them, whilst God gave them strength or lives to oppose them. That therefore both to this Section of their first and to their whole second Letter they should shortly make this Answer; That after a long and serious deliberation of their own Intrinsicall power and trust (derived to them by the providence of God through the declaration of the people) and upon the like considerations of what themselves and this whole Nation had suffered from the Misgovernment and Tyrannie of that King, both in Peace and by the Wars, and considering how fruitlesse and how full of danger and prejudice the many addresses to him for peace had been; and being conscious how much they had provoked and attempted God by the neglect of the impartial Execution of Justice in relation to the innocent blood spilt and mischief done in the late wars; they had proceeded to such a course of Justice against that man of blood, as they doubted not, the just God (who was no respecter of persons) did approve, and would follow with his blessings upon this Nation; and though perhaps they might meet with many difficulties before their Liberties and Peace were settled; yet they hoped they should be preserved from confusion by the good will of him who dwelt in the bush, which burnt and was not consumed. And that the coule they had taken with the late King, and meant to follow towards other the Capital Enemies of their Peace, was, they hoped, that which would be for the good and happiness of both Nations; of which, if that of *Scotland* would think fit to make use of, and vindicate their own liberty and freedom (which lay before them, if they gave them not away) they should be readie to give them all neighbourly and friendly assistance in the establishing thereof, desiring them to take it into their most serious consideration, before they espoused that quarrel which could bring them no other advantage then the entailing upon them & their Posterities a lasting War, with all the miseries that attend it, and slavery unto a Tyrant and his Issue.

Thus they not only vindicated, but invited others to be co-partners in their Paricide; but the *Scots*, though they had at first run the same course with them, yet now finding they had gone too far, viz. to the shedding of Innocent Royal blood, and taking away the Life of the Lords Anointed; they think it best to retreat, and gather up what scattered

of Great Britain and Ireland.

313
1648.

tered Loyalty they could, expressing first by their great sorrow for the Murder of the King, as sensible of the dishonour and disgrace which would lie heavy upon their Nation, for having delivered him up to the *English* Independent Armie; and next they resolve their obedience to his Son, whom they acknowledge his rightful Heir and Successor by a Proclamation proclaimed in all chief places of that Kingdom to this effect.

“ The Estates of Parliament presently convened in this second Session of this second Triennial Parliament, by vertue of an Act of the Committee of Estates, who had power and authoritie from the last Parliament for Conveneing the Parliament; considering that forasmuch as the Kings Majestie who lately reigned, is contrarie to the dissent and Protestation of this Kingdom removed by a violent death; and that by the Lords blessing there is left unto us a righteous Heir and lawfull successor, *CHARLES* Prince of *SCOTLAND* and *WALES*, now KING of *GREAT BRITAIN*, *FRANCE* and *IRELAND*, We the Estates of the Parliament of the Kingdom of *Scotland*, do therefore most unanimously and cheerfully in recognition and acknowledgement of his just Right, Title, and Succession to the Crown of thele Kingdoms hereby Proclaim and declare to all the World, that the said Lord and Prince *CHARLES*, is by the providence of God, and by the lawfull Right of undoubted Succession King of *Great Britain*, *France* and *Ireland*, whom all the Subjects of this Kingdom are bound humbly and faithfully to obey, maintain, and defend according to the National Covenant and the Solemn League & Covenant betwixt the Kingdoms, with their lives and goods, against all deadly enemies, as their only righteous Sovereign Lord and King. And because his Majestie is bound by the Law of God and Fundamental Laws of this Kingdom, to rule in Righteousnesse and Equitie to the Honour of God, the good of Religion, and the Wealth of his People: It is hereby declared, that before he be admitted to the Exercise of his Royal Power, he shall give satisfaction to this Kingdom in those things that concern the Iecurity of Religion, the unity betwixt the Kingdoms, and the good and peace of this Kingdom, according to the National Covenant and the Solemn League and Covenant: for which end we are resolved with all possible expedition to make our humble and earnest addressees to his Majesty: For the testification of all which, we the Parliament of the Kingdom of *Scotland* publish this our acknowledgement of his just Right, Title, and Succession to the Crown of thele Kingdoms at the Market Crosse at *Edinburgh*, with all usual Solemnities in like cases, and Ordain his Royal Name, Portrait and Seal to be used in the publick Writings and Judicatories of this Kingdom, and in the Mint-houle, as was usually done to his Royal Predecessors, and command this Act to be proclaimed at all the Market Crosses of the Royal Burghs, and to be printed, that none may pretend ignorance.

GOD SAVE KING CHARLES the Second.

This Proclamation was in the presence of the whole Parliament of *Scotland*, the Lords being in their Robes, proclaimed at *Edinburgh* Crosse, which for the more Solemnity was richly hung, the people expressing infinite joy, and the Guns at *Edinburgh* Castle and *Leith* being discharged several times over, and soon after Sir *Joseph Douglas*, and Sir *William Murray* of the Bedchamber to his deceased Majesty, were according to their intentions expressed in the Proclamation sent to his Majesty. The Juncto of the

Rt

Commons

The Civill Warres

1648.

Commons House in *England*, were very much displeased at these their proceedings; but more at a Paper dated the four and twentieth of *February*, and subscribed by the Earl of *Lothian*, Sir *John Chesley*, and Mr. *Glendonning* the *scottish* Commissioners in the Name of the Kingdom of *scotland*, and by them after their departure from *London* sent to the Juncto, enumerating all their severall Declarations made for the maintenance of the Kings Person, Power and Authority, and minding them of the breach of all their severall Oaths, Covenants, Vows, Protestations for the defence and continuance of the Government according to the Fundamental Laws of the Nation, which how much they had gone against, and how absolutely broken by them; Murthering the King, abolishing the Houle of Lords, disinheriting the Prince of *Wales*, right Heir to the Crown, and usurping an Arbitrary power to themselves over the Kingdoms of *England* and *Ireland*; and therefore desiring them to return, to do them first, which if they did not, that then they would wash their hands of all the misery that was like to ensue.

This message being so home to the most of their Consciences who sate in the Commons Juncto, extremely angered them, so they first vent their Spleen against the Messenger by imprisoning him, next against the Subscribers, by giving private order to follow & lecture the; & lastly against the Paper it self, which they vote to contain much scadalous & reproachful matter against the just proceedings of the Parliament, & an assuming on the behalf of the Kingdome to have power over the laws & government of this nation, to the high dishonour thereof: And that it imported a design in the contrivers & subscribers for it, to raise sedition and lay the grounds of a new and bloody war in this Land: That under the specious pretences in the Paper contained they might gain advantage to second their late perfidious Invasion; and therefore they declared, That all persons whatsoever residing in *England* and *Ireland*, or the dominions thereof, that should joyn and adhere unto, or voluntarily aid and assist the Contrivers and Subscribers of the said Paper, or any whosoever of the Kingdom of *scotland*, in pursuance of the grounds by them laid in the said Paper, for raising sedition and a new and bloody War in this Land, were Rebels and Traitors to the Common-wealth of *England*, and should accordingly be so proceeded against: And that a Message and Duplicate of the said Paper should forthwith be sent to the Parliament and Kingdom of *scotland*, to know whether they did or would own and justifie the said Paper which had been presented in their names: Whilest in the mean time the Commissioners who had subscribed it were stopped at *Gravesend*, and sent up, and secured at *London*; which was extremely resented by the Parliament of *scotland*, alleaging it to be against the Law of Nations to imprison Commissioners, sent to Treat about the affairs between the two Kingdoms, and therefore desiring their releasement: Mr. *Belford* being sent as Agent from the Parliament of *scotland* for that purpose, and to assure them that the Estates there owned that Paper: Whereupon the Commissioners were enlarged, and the Council of State had order to consider of an Answer to the Kingdom of *scotland*; who upon the report of some *English* Forces advancing towards their Borders, had Voted the raising of an Army of two thousand Horse and six thousand Foot, for their defence, or rather indeed to oppose *Monroe*, *Middleton* and others of the Cavalier Party, who were grown near four thousand strong in the North, and had fortified *Inverness*: For though the Parliament of *scotland* had proclaimed the Prince of *Wales* King; yet they could not allow that those who had been formerly their Enemies should be in Arms for him, for though they had Declared for him, yet still pursued

of Great Britain and Ireland,

315

1648.

pursued they their own advantages, and would not receive him but upon terms, *Viz.* That He should sign their Covenant, submit to the Kirk censure, Renounce the sins of his Fathers House, and the iniquity of his Mother; with other things of the like nature; And therefore *David Lesley* was appointed to go with a party against those Royalists, whom they knew to be real assertors of his cause, without any further interest than that of their performing their Duties as all loyal Subjects ought to do: but nothing was done on either side till the coming into *Scotland* of the Marquess of *Montrose*, as hereafter shall be declared.

CHAP. LXXXIX.

Acts for establishing England a free Common-wealth, and for abolishing Kingship and the House of Lords.

ONe Government being subverted, it was necessary at least to make shew of the setting up another, for as yet the Parliament had determined only in the Negative, that no King should be proclaimed or have power for the future in *England*, which they had likewise confirmed by an Act of the 17 of *March*, Entitled, *An Act for the abolishing of the Kingly Government*: and Declaring,

That whereas *Charles Stuart* late King of *England*, *Ireland*, and the Territories and Dominions thereunto belonging, had by Authority derived from Parliament been, and was thereby declared to be justly condemned, adjudged to die, and put to death, for many Treasons, Murthers and other hainous offences committed by him, and by which Judgement he stood and was thereby declared to be attainted of high Treason, whereby his Issue and Posterity, and all others pretending Title under him, were become incapable of the said Crowns, or of being King or Queen of the said Kingdoms and Dominions or either or any of them: It was therefore now enacted and ordained by the said Authority, That all the people of *England* and *Ireland*, and the Dominions and Territories thereunto belonging, of what degree or condition soever, should be discharged of all Fealty, Homage and Allegiance, which was or should be pretended to be due unto any of the Issue and Posterity of the said late King, or any claiming under him, and that *Charles Stuart* eldest Son, and *James* called Duke of *York*, second Son, and all other the Issue and Posterity of the said late King, and all and every person or persons pretending Title from, by and under him, should be disabled to hold or enjoy the said Crown of *England* and *Ireland*, or other the Dominions thereunto belonging, or any of them, or to have the name, title, stile or dignity of King or Queen of *England* and *Ireland*, Prince of *Wales*, or any of them, or to have or enjoy the Power or Dominion of the said Kingdoms and Dominions, &c. Any Law, Statute, Ordinance, Usage or Custom to the contrary notwithstanding. And further, whereas it had been found by experience, that the office of a King in this Nation and *Ireland*, and to have the power thereof in any single person, was unnecessary, burthenfome and dangerous to the liberty, safety and publique interest of the people, and that for the most part use had been made of the Regal power and prerogative to oppress, impoverish and enslave the Subjects, and that usually and unnaturally any one person in such power made it his interest to inroach upon the just freedom and liberty of the people, and to promote the setting up their own will and power above the Laws, that so they might enslave these king-

The Civill Warres

doms to their own lust: It was therefore Enacted, that the Office of a King in this Nation should not from thenceforward, reside in, or be exercised by any one single person, & that no person whatsoever should or might have or hold the Office, stile, dignity, power or authority of King of the said Kingdoms or Dominions, or any of them, or of Prince of Wales, any Law, Statute, &c. to the contrary in any wise notwithstanding. And further, if any person or persons should endeavour to attempt by force of Arms, or otherwise, or be aiding, assisting, comforting or abetting unto any person or persons that should by any wayes or means whatsoever endeavour to attempt the reviving or setting up again of any pretended right of the said *Charles Stuart* eldest Son to the late King, *James* called Duke of York, or of any other the Issue and Posterity of the said late King, or of any person or persons claiming under him or them in the said Regal Office, Stile, Dignity or Authority, or to be Prince of Wales, or the promoting of any person whatsoever to the Name, Stile, Dignity, Prerogative or Authority of King of England and Ireland, &c. every such offence should be deemed Treason, and all the Offenders therein be proceeded against as Traitors, &c.

And to sweeten up the people with those fair baits of Liberty and Freedome, they promise in the same Act, That whereas by the Abolition of the Kingly Office, a most happy way was laid open for this Nation (if God saw it good) to return to its just and ancient right of being governed by its own Representatives or National meetings in Council, they did therefore declare, that they would put a period to their sitting, & dissolve themselves so soon as possibly might stand with the safety of the people that had betruisted them, and for what was absolutely necessary for the preserving and upholding the Government now to be settled in the way of a Common wealth: and that they would carefully provide for the certain chusing, meeting and sitting of the next and future Representatives, with such other circumstances of Freedome in Choice and Equality in distribution of Members to be elected thereunto, as should most conduce to the lasting Freedom and good of the Common-wealth. But though absolved from obedience to all other Government, and particularly from that under which *England* had been governed ever since a Nation, yet no person was discharged from Obedience and Subjection to the Idea of a Government established; but were required in all things to render and perform the same to the Supreme Authority, declared to reside in them and the succeeding Representatives of the Nation, and in them only. The Kingly power thus abolished by their Act, their Vote for taking away the House of Peers was likewise made into a statute, only some qualified Peers who had demeaned themselves with Honor, Courage and Fidelity to the Common-wealth, were admitted to have free Votes in Parliament, if they should thereunto be elected.

Thus the two chief of three Estates and greatest props of that Government under which *England* had for so many hundred of years happily flourished, were quite made null, and the whole power taken by the Commons or Populars into themselves; The Act for abolishing Kingly Government before mentioned, was by the Commons sent to the Lord Mayor of London, with expresse command, that he accompanied with the rest of the Aldermen his Brethren, should in person proclaim it in the chief places of the City; but he not satisfied in Conscience to have a hand in the total subversion of the Ancient Fundamental Government of the Nation, at first delayed it, which caused a demure of its proclaiming throughout all *England*; the inconveniences of which delay

of Great Britain and Ireland.

317

1648.

to their interests; the Juncto being sensible of, summoned him to their Bar, where hee utterly refused to do; but withall, alledging that it was the Sheriffs duty, and not his; and that however, without breach of his Oath taken in the *Exchequer*, hee could not do it, whereupon he was fined in two thousand pounds, & himself (who was Alderman *Reynoldson*) and three Aldermen more committed to the Tower, and the Common Council enordered to call a Common Hall for the election of a new Lord Major to serve out the rest of the year, who soon made choice of a man after the Juncto's own hearts, Alderman *Andrews*, whom they accepted with thanks; and ordered a new Oath, the Substance of which was, that he should be faithful in the place of his Majoralty to the Common-wealth, and to the City for which he served, was administered unto him, and in obedience to their commands, accompanied with Alderman *Pennington*, Alderman *Wollaston*, Alderman *Foulkes*, Alderman *Kenrick*, Alderman *Byde*, Alderman *Edmonds*, Alderman *Pack*, Alderman *Bueman*, Alderman *Atkins*, Alderman *Viner*, Alderman *Avery*, Alderman *Wilson*, Alderman *Dethwick* and Alderman *Foot*, proclaimed the same in *Chesham* and at the Royal *Exchange*, Soon after which, the Parliament to take off the Peoples amazement, published a Declaration of their Reasons for thus taking away Kingly Government, in the Preamble of which they made a recital (as they had done in their Declaration of their Reasons of making no more Adresse to his Majesty) of the supposed misgovernment of King *Charles the First*, in the time of His Reign, sufficiently supplying with Calumny what was wanting in truth and reality, justifying their proceedings against the King and House of Peers for their Tyranny, Oppression, Arbitrary power, & all opposition to the peace and Freedom of the Nation, and then declaring:

That they were very sensible of the Excellency & Equality of the Laws of *England*, being duely executed, of their great Antiquity before the Time, even before the time of the *Norman* slavery forced upon us, of the Liberty and property peace of the Subject so fully preserved by them, and which falls out happily as an increase of Gods mercy to us, of the clear consistency of them with the present Government of Republike, upon some easie alterations of form only, leaving intire substance; the name of King being used in them for form only, but no power of personal administration of judgement allowed to him in the smalest matter contended for; they knew their own Authority to be by the Law to which the people have assented, and besides their particular Interests which are inconsiderable) they more intend the common Interest of those whom they serve, and clearly understand the same, not possibly to be preserved without the Laws and Government of this Nation: and that if those should be taken away, all industry must cease, all misery, bloud and confusion would follow, and greater calamities, if possible, then fell upon us by the late Kings misgovernment, would certainly involve all Persons under which they must inevitably perish; these arguments are sufficient to persuade all men to be contented to submit their lives and Fortunes to those just and long approved rules of Law, with which they are already so fully acquainted, & not to believe that the Parliament intends the abrogation of them, but to continue the Laws and Government of the Nation with the present alterations; and with such further Declarations as the Parliament shall think fit to be made for the due Reformation thereof, for the taking away corruptions and abuses, delays, vexations, unnecessary travel and expences, and whatsoever shal be found really burthensome and grievous to the people:

That

The Civill Warres

1648.

That the sum of all the Parliaments designs and endeavours in the present change of Government of Tyranny to a free State; and which they intend nor only to declare in words, but really and speedily endeavour to bring to effect, is this, to prevent a new War and further expence and effusion of the treasure, and blood of *England*, and to establish a firm and safe peace, and an oblivion of all rancor and ill will occasioned by the late troubles; to provide for the true worship of God according to his Word, and advancement of the true Protestant Religion, and for the liberal and certain maintenance of Godly Ministers; to procure a just liberty for the Consciences, persons and estates of all men conformable to Gods glory and their own Peace; to endeavour vigorously the punishment of the cruel murderers in *Ireland*, and the restoring of the honest Protestants, and this Common-wealth to their Rights there, and the satisfaction of all Engagements for this Work; to provide for the settling and just observing of Treaties & Alliances with Foreign Princes and States, for the encouragement of Manufactures, for the Increase and flourishing of Trade at home and the maintenance of the poor in all places of the Land; to take care for the due Reformation and Administration of the law and Publick Justice, that the evill may be punished and the good rewarded; to order the Revenue in such a way that the publick charges may bee defrayed, the Souldiers pay justly and duly settled, that Free-quarter may be wholly taken away, the people be eased in their burthens and Taxes, and the Debts of the Common-wealth satisfied; to remove all grievances and oppressions of the People, and to establish Peace and Government in the Land. These being their only ends, they cannot doubt of, and humbly pray to the Almighty Power for his assistance and blessing upon their mean endeavours wherein as they have not intermeddled or envied, nor do they intend at all to intermeddle with the Affairs or Government of any other Kingdom or State, or to give any Offence of just provocation to their Neighbours, with whom they desire entirely to preserve all fair correspondence and amity if they please and confine themselves to the proper work, the managing of the Affairs and ordering the Government of this Common-wealth, and matters in order thereunto, with which they are intrusted and authorized, with the consent of all the People thereof whose Representatives by Election they are; so they do presume upon the like fair and equal dealings from abroad; and that they who are not concerned will not interpose in the Affairs of *England* who doth not interpose in theirs, and in case of any injury, they doubt not but by the courage and power of the English Nation, and the good blessing of God, who hath hitherto miraculously owned the justnesse of our Cause, and they hope will continue to do the same, they shal bee sufficiently enabled to make their full defence, and to maintain their own Rights; and they do expect from all true hearted *English* men, not only a forbearance of any publick or secret plots or endeavours in opposition to the present settlement, and thereby to kindle new flames of war and misery amongst us, whereof themselves must have a share, but a chearfull concurrence and acting for the establishing the great work now in hand in such a way that the Name of God may be honoured, the true Protestant Religion advanced, & the people of this Land enjoy the blessings of Peace, Freedom, and Justice to them and their Posterities.

This Declaration of theirs was printed in *English, Latine, French, Dutch, and Spanish*; as if they had the confidence to think that however coloured, the world could believe their proceedings just, or that they could perswade the People of *England* that Tyranny
and

of Great Britain and Ireland.

319

1648.

and Oppression were the High Roads to Liberty and Freedom: Certainly very few understanding persons could by this be converted into a belief that their proceedings were Just; but it has been a common custome in the world to cloth the blackest Designs in the purest Robes; yet further to looth the people, they posted their Ordinance for constituting *England* a Free State and Common-wealth; as if the People should have enjoyed new found Liberties, and strange Immunities which were never before heard of; but they meant that though the State should be free, yet the people should bee slaves, as appeared by their raising the Assessments to Ninety Thousand pounds *per mensem*, and still continuing Excite and Free Quarter, though there were no Enemy in being.

CHAP. XC.

Affairs of Ireland: Cromwell sent over thither.

But whilst *England* had utterly rejected her King, & *Scotland* stood doubtfully wavering whether they should him receive, the Marquess of *Ormond* had by the Authority derived from King *Charles* the First, made almost an absolute Peace in that Kingdom, for all *Munster*, *Conaught* & most part of *Leinster* were at the Kings Devotion, only *Dublin* was held out by Colonel *Jones* for the Parliament, whom likewise the Marquess had invited to joyn with him, by telling him, that the pretended Parliament of *England* had Murthered King *Charles* the First of blessed Memory; and that not to set up an Usurper, but to bring in an absolute Anarchy and Confusion, and therefore advising him to come into the service of *Charles* the Second, the undoubted Heir of His Fathers Crowns and Vertues, assuring him, that there was nothing which hee could reasonably propose for the safety and satisfaction of those that should adhere unto him, if this overture found place, but he would accomplish it; but *Jones* being too much infected with Independent and Antimonarchiall Tenents, returned answer:

That he understood not how his Lordship came by his Power, That the Parliament of *England* would never assent to such a Peace as hee had made with the *Irish* Rebels, wherein little or no provision was made for the Protestant Religion; nor could he understand how the Protestants or Protestant Religion could be established by an Army of Papists, to whom he had allowed possession of all the Forts and places of strength, and to have fifteen Thousand Foot, and two Thousand five hundred Horse, and the Government of the whole Kingdom under Trustees named by the Rebels. In sum, he concludes that he should rather chuse to suffer in his trust, then purchase to himself the ignominious brand of infamy by any advantage offered.

Without doubt the Lord Lieutenant expected no other answer from him; and indeed the peace with the Rebels was with very great advantages on their side; but they were such as the necessity of the times was forced to admit; the chief heads of it were,

That the *Roman* Catholics of *Ireland* should have free exercise of their Religion, all penalties taken off, not to be obliged to the Oath of Supremacy, and to enjoy all Churches and Church Livings they had in present possession, and the Exercise of Jurisdiction therein. That a Parliament should be called within six moneths, or when after the *Roman* Catholics should desire. That all Laws made in the Parliament of *England* since 1641. in prejudice of the *Roman* Catholics, should at the next Parliament
bee;

The Civill Warres

be vacated. That all Indictments against the Catholicks since 1641. should be made void and null. That Impediments of Catholicks for being Members of Parliament should be taken away. That all debts should remain as they were Feb. 8. 1641. notwithstanding any attainer. That the Estates of the Knights Gentlemen and Freeholders of the County of *Clare*, *Thomond*, *Luncrick* and *Tipperary* should be secured by Act. That all incapacities of the Natives in *Ireland* be taken away by Act. That all Honors, Trusts, employments, or such like be conferred as well upon Catholicks as Protestants. That the King take 2000 *l. per annum*, in lieu of the Court of Wards. That no Noblemen should have more proxies then two in Parliament, & all blanks to be null. That the dependence of the Parliament of *Ireland* upon *England* should bee as both should agree, and stand with the Laws of *Ireland*. That the Council Table should meddle only with matters of State. That all Acts forbidding the transport of Wool should be nulled by the next Parliament. That if any had been wronged by Grants from King *James*, or since, they might Petition and have relief in Parliament. That diverse particular Lords, Knights Gentlemen, who had as they conceived been wronged, should be now righted. That all who had their Estates taken from them in *Corke*, *Toughall*, or *Dungarnon*, should have restoration or rent. That in the next Parliament an Act of Oblivion should passe to all *Ireland* and those that adhered to them. That no Officer of Eminency in *Ireland* should farm any Customes. That an Act should be passed against Monopolies. That the Court of Castle Chamber should be regulated. That the Acts for Prohibiting of plowing with Horses by the tail, and burning Oates in the straw should be made null. That an Act should be passed for taking off the grievances of the Kingdom. That Maritime Causes should be determined in *Ireland*. That no Rents should be raised upon the Subject under pretence of defective Titles. That Interest Money from 1641. be forgiven. That these Articles should be enacted and be of force till a Parliament should agree the same. That the Commissioners that treated for the Catholicks should agree upon such as should be Commissioners of the peace, and hear all causes under 10 *l.* That all Governours of Towns, Castles and places made by the King, should be with the approbation of the Catholick Commissioners. That none of his Majesties Rents should be paid untill a full settlement in Parliament. That the Commissioners of Oyer and Terminer do try Murthers, Stealing, and all inferior trespasses of that nature. That hereafter such differences as should arise between Subjects be determined in a Court of *Ireland*, and not transferred to *England*. That the Romish Clergy that behaved themselves according to this agreement, should not be molested.

These were the Articles granted in favour of the Catholicks, upon which a general peace was concluded, except only with *Owen Roe O'neale* in *Ulster*; and by agreement upon the whole the ensuing Proclamation was published in all places where those of the Association had power.

Be the Lord Lieutenant of IRELAND.

ORMOND.

W^hereas our late Sovereign Lord King CHARLES of happy memory, hath been lately by a party of his Rebellious Subjects most traiterously, maliciously have

of Great Britain and Ireland.

321

and inhumanely put to death and murdered: And forasmuch as his Majesty that now is, CHARLES by the grace of God King of Scotland, England, France and Ireland, is Son and Heir of his said late Majesty, and therefore by the Laws of the Land in force; and practised in all ages, is to inherit: We therefore in discharge of the Duty we owe unto God, our Allegiance and Loyalty to our sovereign, holding it fit so to proclaim it in and through this his Majesties Kingdom, do by this our present Proclamation Declare and manifest to the World, That CHARLES the second, Son and Heir of our said late sovereign CHARLES the First of happy memory, is by the grace of God undoubted King of Scotland, England, France and Ireland, Defender of the Faith, &c. and hereto all persons whatsoever are required to give obedience, &c.

1649.

GOD SAVE KING CHARLES THE SECOND.

But Col. Jones had not so much reason to find fault with this peace made with the Rebels in Munster, when by order of the Parliament a Treaty was in hand with Owen Roe O'neale and the chief of the Rebels in Ulster (even those who not only first began the rebellion, but had been of almost barbarous) as appears by those Propositions sent by General O'neale to Col. Monk, to be presented to the Parliament of England, which were to this effect:

That such as were already joyned, or should within the space of three Moneths joyn with General Owen O'neale in the service of the Parliament of England, in this Kingdom, as well Clergy as others, might have all Laws and Penalties against their Religion and its professors taken off by Act of Parliament, and that Act to extend to the said parties; their Heirs and Successors for ever, while they loyally serve the Parliament of England. That to the said General O'neale and all and every of his party, an Act of Oblivion be granted for all things done since the beginning of the year 1641. That General O'neale be provided with a competent command in the Army, befitting his worth and quality. That all and every one of his party might enjoy all the Lands that were or ought to be in their Ancestors possession. That all incapacity, inability and distrust hitherto by Act of State be taken off. That on both sides, all jealousies, hate and aversion be laid aside, unity, love and amity renewed and practised between both parties. That General Owen O'neale may be restored and put in possession of his Ancestors Estate, or some Estates equivalent, in the Counties of Tyrone, Ard, March, or London-Derry; in regard of the merit, and the good service that he should perform in the Parliament of Englands service, in the preservation of their interest in that Kingdom. That the Army belonging to General Owen O'neale and his party be provided for in all points as the rest of the Army should be. That the said party should be provided with and possessed of a convenient Sea-port in the Province of Ulster.

These Propositions were signed by Owen O'neale and sent to Colonel Monk, who finding some things in them which he thought too high for the Parliament of England to grant, having made some alterations in them, he returned them back with this Answer to O'neale.

That he had received his of the 25 of April, and had seen his Order given to Hugh Mac Patrick Mac Mahon, to treat and conclude a peace in the behalf of himself and the Forces under his command. That he had perused his propositions, and conceiving

The Civill Warres

1649.

there were some particulars in them, which at first view the Parliament of England might scruple to grant, he had therefore made some small alterations in them, being well assured by it *O'neale* would not receive the least disadvantage, but it would rather prove a means to beget an increase of good opinion of him and his party, which he believed their reality, fidelity and action in the service would sufficiently merit. That in case he approved of them as he had revised and altered them, he should send them to him signed and sealed, that he might present them to the Parliament of England, to obtain their favourable answer in return of them, in the mean time desiring that according to a Paper enclosed, Three Moneths cessation between their Forces might be condiscended to and unavoidably kept between them.

The propositions now as they were amended, were signed by *Owen Roe*, and returned to Col. *Monck*, and by him sent to the Parliament, the alterations being very little or not at all considerable: So then there was not so much reason to blame those Articles made by the Lord Lieutenant by the Kings Commission with the Irish Rebels, whilst the Juncto of the Commons, who pretended themselves such utter enemies to that Rebellion, and had so often scandalized the Kings making cessation with them, were themselves treating with the worst pack in Ireland. For although it could not be denied, that almost the whole Irish party (in regard of their Confederacies and Combinations) have not been innocent in all particulars of that vast Ocean of English blood which had been shed, yet it was most clear, that the plotters and contrivers of that Treason, and the unnatural and butcherly Executioners thereof, were principally that party headed by *Owen Roe O'neale*: which perhaps made the Juncto of Commons in England sensible of the odium they were like to bring upon themselves by such a Treaty or Agreement, should they have prosecuted it to the effect, to disown and disclaim whatever had been done by Col. *Monck* in that affair, and voting it to be without their consent or knowledge, yet that in regard what was so done by him, was out of a real apprehension of good to accrue to the Nation by it, they thought fit that he should be questioned for having gone so far without their leave or consent.

But to return to the Lord Lieutenant *Ormond*, who being associated with the Lord *Incheguine*, *Tooffe*, *Preslon* and others, endeavoured by all means possible to raise so potent an Army, as might reduce that Kingdom wholly to his Majesties obedience; and therein he so well prospered that by the one and twentieth of June, he was set down before *Dublin* with an Army of about two thousand Horse and eighteen thousand Foot, gallantly furnished, and better accounted then any Army ever raised in that Nation had been: But that City having been lately Recruited with three thousand Horse and Foot, with good store of Provisions and Ammunition from England, was both capable of enduring a Siege and likewise able by reason of their great number of Souldiers and Inhabitants in Arms, to sally out upon the Marquessees Army, which they did severall times fortunately; and at length taking advantage of the Lord *Incheguine*s having drawn away a part of the Army to go settle some Affairs in *Munster*, they sallied out with their whole strength, consisting of near three thousand Horse and Foot, upon the secure Royalists, entred their Lines, still with an imaginable good Fortune, beating them from place to place, and at length totally routing that well composed Army, to the almost utter ruine of the Kings Affairs in that Kingdom: Many Commanders of Note were taken Prisoners, the Lord Lieutenant having some difficulty to save himself by flight; thus one

of Great Britain and Ireland.

323

1649.

of the two chief Towns which stood for the interest of the Army and Juncto of Commons in England, was relieved, and the Leaguer before it vanished. Nor was it long after ere the other, *London-Derry*, held out by Sir Charles Coote, had the like success against Sir Robert Stewart and Collonel Mervin, who with the Army of Scots in Ulster, though they had not made any association with the Lord Lieutenant or the rest of his party, yet had declared against the Army of Sectaries in England, and theirs, and the Commons proceedings against the Person of the King, and in pursuance of their Declaration laid siege to the laid City of *London-Derry*, which they were by a fortunate sally of the Defendants, (assisted say some, by *Owene O'neal*, in pursuance of his Treaty) enforced to raise.

During the time of the Lord Lieutenant endeavouring to associat himself with those in Arms for the generall maintenance of the Royal Authority, Lieutenant Generall Jones Governour of *Dublin* had often solicited the Commons for relief to be sent, without which they would undoubtedly lose that Kingdom; Nor were they insensible how great a prejudice it would prove to their interest, should that Kingdom have been brought into full Subjection to the King, whereby it would be to them a continual annoyance; however, a great difficulty (had *Dublin* and *London-Derry*, the two only places holding out) it would have proved to have landed an Army for reducing it. Besides, they were not ignorant, that the occasion of employing so great a part of their Army, was not only commodious but necessary to their interest: for they had found by experience, that want of action had engendred nothing but Mutinies and Disorders amongst them; a proof of which they had at the very time when they were designing some of them for *Ireland*, twelve Troops at the instigation of their Levelling Agitators being in a Mutiny at *Burford*, but were easily quelled by the Generall *Fairfax*. These considerations made them hasten relief to *Ireland*, which they Voted, That twelve Thousand Horse and Foot should be sent, under the Command of Lieutenant Generall *Cromwel*, with the Title of Lord Governour or Lieutenant, and with absolute power in that Kingdom: And the Council of State (that new Sprung Power) were to take care not only to procure them Shipping for their Transportation, but likewise to provide stores both of Ammunition and provision, together with Cloaths for the Common souldiers, for their more comfortable subsistence.

Cromwel with his Army Rendevouzed at *Milford Haven*, where the Ships lay ready for their Transportation, received there advice of the Detear given by Coll. *Jones* to the Lord Lieutenants Army, which extreamly encouraged his Souldiers, who rather expected to hear the news of the taking of that City, and were indeed extreamly disheartned from attempting so hazardous an Enterprize as the landing of an Army in *Ireland*, had that Town been taken, as they had reason to fear it would be before their arrivall, would have proved, but now fortune having shewed it self so much on their side, they were resolute to proceed, and *Cromwel* on the thirteenth of August, set sail with the Van of the Army in thirty two Ships; *Ireton* soon following him with the main body in forty two other Vessels, and *Hugh Peters* with twenty sail bringing up the Rear. They were soon by favourable Winds brought to *Dublin*, where *Cromwel* was received with all possible expressions of Joy, being feasted daily by the Inhabitants: But waving their civilities, he prepared in regard of the approaching Winter for a present action, and drawing out ten thousand compleat Horse and Foot, with a well furnished Train hee

The Civill Warres

marches from thence towards *Tredagh* a Garrison well fortified, and Manned with above two thousand *English* Gentlemen, and others, who had most of them been formerly Commanders in the old Kings Army in *England*, besides common Souldiers, all under the command of *Sir Arthur Aston*, an old and experienced Squidjour, and formerly Governour of *Reading* for the late King: So that *Cromwells* summons prevailed nothing more then an expresse of their resolutions to expire with the taking of the Town, which made *Cromwell* (though he knew the gallantry of the persons he had to deal withall, & the stout resistance he was like to find, yet) resolve to endeavour its taking perforce, for he knew that should he waste so much time as the starving it out would have required, he had not only run himself into the inconveniences which generally in that and all cold Countries attend upon a Winter Leaguers but likewise have given time to the Lord *Inchegueen* and the rest of the Royal Interest to have completed an Army for raising the Siege: He therefore immediately plants his Batteries, and plays upon the Town for some whole dayes, with such successe in the end, that two considerable breaches were made, and twice in vain assaulted, but the third time *Castles*, *Ewers* and *Hewsons* Regiment lead on by Collonel *Castles*, forced the Defendants to retire; and being seconded by a fresh Reserve, brought up by *Cromwell*, entered the breach, (though with the losse of Collonel *Castles*, who was slain in the first assault) yet did the courage of the Defendants force them out again, till over-powered by their fresh numbers, they were forced to yeild ground though so leisurely, that what the enemy got was gained by Inches, the Royalists disputing it at swords point till they left their lives upon the spot. Possession of the Town at length being wholly gained, the greatest slaughter began, *Cromwell* having given expresse Order, that no life either of man, woman or child should be saved, he having replied to an Officer of his, who pleaded for some mercy, that he would sacrifice their Souls to the Ghosts of the *English* they had murdered, though hee knew himself that most of these were not the murderers of the *English*, but *English* themselves, and the greatest part of them such as had been Officers under King *Charles* the first: yet so general was the slaughter, that if *Cromwells* own Letter may bee believed there were scarce thirty lives saved in the whole Town, and those that were by him reserved to be sent to the *Barbadoes*; one Lievetenant only escaping who reported to the Royal Party, that he was the only person left alive of all the Garrison. Yet this cruelty of *Cromwells* turned to his advantage; for terrified with this example, the Garrison Souldiers of *Trim* and *Dundalke* places adjacent quitted their Towns, they out of *Trim* making such haste, that they left their great Guns upon the platforms, which together with the Towns were immediately possessed by *Cromwells* Forces; who having after this successe refreshed his Souldiers sometime at *Dublin* marched thence to *Wexford*, which together with passage Fort were soon after taken by storm, *Ross*, *Duncannon*, *Bandonbridge* and other places being likewise surrendered to him upon several Conditions; nor was *Sir Charles Coote* who was made Governour of *Ulster* by the Enemy, and to whom *Cromwell* had sent a considerable supply both of Horse and Foot, any whit inferiour in his successe there, having taken *Colraine*, raised the sledge before *Belfast*, and utterly routed Collonel *George Monro*, and Collonel *Hamilton*; and indeed such was the Republicans Successe in all parts of the Kingdom, that in lesse then a years time the Kingdom (some Garrisons, as *Lunrick*, *Galloway*, &c. and some smal numbers of Forces that lay Skulking about the Woods only excepted,) was at their devotion; nor was

1649.

the losse of that alone the only misfortune that attended the Kings affairs; for Prince Rupert being with his Fleet hovering about the Coast of Ireland, in assisting of his Majesties good Subjects in that Kingdom, was met at Sea by a more potent Fleet belonging to the States of England, so that hee was forced to take the Harbour of Kingste for his shelter, where he was by them for some moneths blocked up, till forced (both by reason of his wants of provisions, and of Cromwells being ready to take that Town by Land) to a resolution to make his way through them so with the losse of three ships hee bore out of that Harbour, and with the remainder of his Fleet getting cleare off the States Ships, steered his course for *Lisbone*, where he was not only protected but carressed by the King of Portugal, which so much displeased the Infant State, that they commenced a War with that Prince, doing him many great damages in the Trade and Navigation wherein the Riches of that Nation chiefly consist; yet when the King of Portugal could neither by force nor intreaties be perswaded to call Prince Rupert out of his protection, the English Admirals resolve with patience to await his coming out, and a long time kept they him in there, till at length want of provisions made them retire and gave the Prince elbow-room, who immediately from thence steers to *Malaga*, but in the Voyage perplexed with extraordinary storms, He loses his brother *Maurice*, who in the Vice Admirall was, never since heard of, Himself being again followed by the States Generals, lost all his ships but two, which his pursuers looking upon as inconsiderable and not worthy in their time and pains to hunt after, returned and left him Sea-room to come with them into *France*.

Thus both by Sea and Land did the Kings misfortunes increase, which made the Juncto of Commons fearing lest now he should joyn interest with the *Scots*, as was generally talked of, to provide for a storm from thence, to which they feared some drops might fall from the Presbyterian party in England, endeavoured to prevent all risings which happen in England, by quartering their Army up and down the Country to be ready to attend all motions, and to defend themselves from a supposed Invasion of the *Scots*; they had ordered some Forces to lie constantly on their borders, but afterwards when upon the full conclusion of the Treaty with the King, the *Scots* began to leavie an Army, they thought fit to call over their victorious General *Cromwell*, who had now left nothing to do in Ireland, but the reducing of *Limerick* and *Galloway*, and begin upon them an offensive War by entering into their Dominions. Their General therefore having left his Son in law *Ircon* Deputy in Ireland to perfect the Conquest of that Kingdom, which he had made to great an essay into, comes over from *Wexford* to *Bristol*, and so taking post to London, arrives there on the first of June, to receive the command of Generalissimo of the Forces of the New Republick, which by the laying by of *Fairfax* was resolved to be conferred on him.

CHAP. XCI.

The Scots Propositions to the King: His Answer; Commissioners appointed to Treat.

THE Scots Commissioners, Sir Joseph Douglas and Sir William Murray, being driven back by storm into Scotland, there was long debate about joyning three others with them, but at length it was concluded, that before any Commissioners should go with power to Treat, Propositions should be sent to his Majesty, that thereby they might

1649

might first perceive his Majesties inclinations of accepting the Crown of Scotland upon their terms: Mr. Windram Laird of Libbertoun was therefore sent with these desires and offers of theirs, who went first to Zealand, and from thence to Jersey where the King then was, to whose presence, (after he had attended the dispatch of an Agent from Ireland) he was admitted, and tendered their propositions to this effect.

That his Majesty would graciously be pleased himself to Sign the Solemn League and Covenant of the three Kingdoms; and that he would passe an Act in Parliament that every person in that Kingdom might take it, and that he would ratifie all done concerning the same. That he would passe divers Acts of the Parliament in Scotland, which were concluded on the two last Sessions for approving of their disclaiming of Duke Hamiltons last invasion of England. For receiving several Acts made by the English for the Militia. That the Kings of Scotland might have no Negative voice in that Parliament. That his Majesty would recall the late Commissions given to Montrose for raising of Forces to be sent to any places beyond the Seas into the Kingdom of Scotland; & that he would give present order for the stopping thereof. That he would put away all Papists from about him. That he would appoint some place about Holland to treat with their Commissioners, an Honourable company of the most Noble Lords in Scotland being to be appointed to attend his Majesty, to whom likewise they would lend a sufficient provision to maintain him a Train suitable to his Birth and deserved Greatnesse; and that he would be graciously pleased to give a speedy answer to their desires.

These propositions were very seriously debated in the Kings Council at Jersey, some supposed to be earnest favourers of the Marquess of Montroses design, alleadged that the Scots when they had him in their hands, would either out of fear or gain be induced to betray him to the English Sectaries, as they had done his Father, and therefore that there was no trust nor confidence to be had in them; but others more moderate, perswaded him that he should let slip no opportunities to conclude a Treaty with the Scots, and get footing in that Kingdom, as the most probable way to attain his other Kingdoms; and to this counsel was himself the more inclined, both because his Mother the Queen, and the Marquess of Montrose perswaded him to it, and also because he himself thought it most contentaneous to reason; and therefore he determined to return an answer suitable as far as he could to their desires; but in regard that some time would be spent in deliberation, Sir William Fleming was sent before to reside as Agent at Edinburgh, and to give an account of the affairs there, who was soon after followed by the Laird of Libbertoun with this Answer to the Committee of Estates in Scotland.

CHARLES R.

We have received your Letters lately presented to us by Mr. Windram of Libberton, and we accept graciously all the expressions of affection and fidelity therein contained towards us, with your tender resentment of our present condition, and the just indignation which you professe to have against the execrable murder of our Father: And we believe that your Intentions are full of candor towards us, as we are, and always really have been desirous to settle a clear and right intelligence between us and our Subjects of our ancient Kingdom of Scotland, which may be an assured foundation of their happiness

of Great Britain and Ireland.

327

1649.

ness and peace for the time to come, and an effectual means to root out all the seeds of animosity and divisions caused by these late troubles; and also to unite the hearts and affections of our Subjects one to another, and of them all to us their King and lawfull Sovereign; to the end that by their obedience to our Royal and just Authority we may be put in a condition to maintain them in peace and prosperity, and to protect them in their Religion and Liberty as it appertains to us according to our charge and office of a King: And as we have alwayes resolved to contribute whatsoever is to be done by us to obtain these good effects; and for the just satisfaction of all our Subjects in this Kingdom: We have now thought fit, upon the return of Mr. *Windram*, to command and desire you to send unto us Commissioners sufficiently authorised to treat and agree with us, both in relation to the interest and just satisfaction of our Subjects there, as also concerning the ayd and assistance, which in all reason we may expect from them, to bring and reduce the murderers of our late most dear Father of happy memory to condign punishment, and to recover our just Rights in all our Kingdoms: and we will that they attend us on the fifteenth of March at the Town of Breda, where we intend to be in order thereunto, and in confidence of a Treaty; as also to make known to you and all the world, that we sincerely desire to be agreed, we have resolved to address these unto you under the name and title of a Committee of Estates of our Kingdom of Scotland; and will, and expect, that you use this Grace no other wayes for any advantage to the prejudice of us or our affairs, beyond what we have given this qualification and title for: Namely, for the treaty and in order to it, although we have considerations sufficient, and very important to dissuade and oblige us to do nothing in this kind antecedently at this time: Also wee hope the confidence which we declare to have in your clear and candid affections or intentions towards us, will furnish you with strong Arguments to form in your selves as mutual confidence in us, which by the blessing of God Almighty by your just and prudent moderation, and by that great desire we have to oblige all our Subjects of that Kingdom, and by the means of the Treaty, which we attend, and hope for, may be a good foundation of a full and happy Peace, and an assured security to this Nation for the time to come, which we assure you is wished for of us with passion, and which we shall endeavour by all means in our power to effect.

Soon after Mr. *Windram* was dispatched with this Letter, the King sent a particulare Messenger of his own with the following letter to the Marquesse of *Montrose*.

Most Dear and wel-beloved Cousin,

Wee have received Letters from our Kingdom of Scotland, of which you received herewith a Copy by which our Subjects demand of us, that wee would please to acknowledge for lawfull their Parliament, and particularly the two last Sessions of that Assembly, which being obtained of our Grace, they offer to send us their Deputies with full Commission to treat with us of the means to re-establish Peace and Obedience in that Kingdom: Wee have made them an Answer that we have made known to their Envy the place where we desired their Deputies should come to us with all diligence: And to the end they should not apprehend, that by our Letters, or by the Treaty wee had any design to hinder the Affairs we had committed to you, We have thought fit to let you know, That as we judge the Leavy you have made for our service, to have been
a powerfull

1649

might a powerfull motive to oblige them to send their Deputies to enter into Treaties with us, so we also believe, that the progress you shall make in your generous designs, will dispose them to Treat with the more moderation, so the end the whole Realm may again happily return under our Obedience, we assure you, we have not the least thought to derogate from that ample Commission which we have given you; nor do diminish that Authority in which we have invested you by our Letters Patents, and we do promise you also, if it shall come to passe, that we shall enter into any good Intelligence with our Subjects, we shall have so much care of your proper interest, that all the world shall see how much we esteem your Person and what confidence we have in your conduct and courage, whereof not only the late King our Father, but our self also have received proof both by what you have done and suffered for us; mean time you shall understand that we have qualified the Assembly of our Subjects with the Appellation of the Committee of Estates, which we have done only for this Treaty; which if it shall not succeed as we desire, as we know already this qualification of the Privy Signet does not authorize them to be such. So we shall these forthwith declare for what we hold them, notwithstanding this Title which we have given them both for their own proper satisfaction; and also to make known to all the World, that we desire to bring back our Subjects of the Kingdom of Scotland to their duty rather by way of sweetness and amity then by the rigour of our Arms; if their obstinacy and the injustice of their demands should constrain us to recover it by force, We therefore hereby do give you full power to proceed vigorously in your Enterprises, nor doubting but all our Loyal Subjects of Scotland will joyn themselves with you; and by that means all those who are otherwise disposed, will submit themselves to reason in that Treaty which we now Accept, or shall be forced thereto by Arms; to this we permit you to publish these presents, and to communicate them to such as you shall judge fit; so we pray God to preserve you most Dear Cousin.

The King having made these dispatches to the Committee of Estates in Scotland, and to the Marquesse of Montrose was advised by his Council to depart from Jersey, which he was prest to by many urgent reasons, particularly for the prevention of that danger which might happen, should the Fleet of the Common-wealth of England (for so was that Kingdom now stiled) who were already come to Portsmouth well victualled and manned, attempt anything upon the Island, whereby they should be left destitute of all hopes of relief, unless Prince Rupert and the Marquesse of Montrose were all called thither, and so all other services and designs neglected; besides it was judged that the removal would give much satisfaction to Scotland, which was the only Interest the King had now to look upon, as the probable way by the encouragement of his friends in England for the regaining of his Dominions.

These reasons caused a speedy removal of the King with all his Train out of this Island, into France, where he resolved to reside till the time of the Treaty at Breda; if the Estates of Scotland should resolve on one, which they after did: In the mean time Mr. Windram, who had long been expected, was received in Scotland with a great deal of joy, and to the delivery of his Letters, added a message by word of mouth, acquainting them, how far he found the King compliant to their desires. As first;

That

of Great Britain and Ireland,

329

1649.

That as to what was acted in the last Sessions of Parliament he was content an Act of Indemnity and Oblivion should be passed; but he could not give his full approbation of it. That neither those of *Montrose*, nor Duke *Hamilton's* party should bear Office in State without consent of Parliament; and that he had appointed *Breda* in *Holland* for the place of a solemn Treaty for the making of a full accommodation and agreement between him and his loving Subjects in *Scotland*.

This Message together with the Letter were the Subject of many serious debates in the Committee of Estates and Kirk, and in the end a Committee consisting of nine Lords and Burgesses was appointed; who were to draw up a State of the Case, and present their Opinions upon it, that it might be made ready for the Parliament of *Scotland's* consideration, which was shortly after to assemble; whilest in the mean a joynt Committee was, selected out of the Assembly of the Estates and Kirk to consult about sending Commissioners and Propositions to treat on to the King; in which consultations there happening much clashing, the more rigid Kirkmen proposing that new propositions much harder then those formerly sent should be drawn up; but those of the Committee of Estates not so jealous of the King, mitigated somewhat of the rigour, and to the businessse was agreed by way of mediation of both Proposals. And the Earl of *Cassilis*, the Lord *Lothian*, the Lairds *Burley* and *Libbertoun*, Sir *John Smith*, and Mr. *Jeofreys* were chosen by the Estates; and Mr. *Broadie*, Mr. *John Lawson*, and Mr. *James Wood*, by the Kirk, as Commissioners to go and treat with his Majesty.

CHAP. XCII.

Montroses Expedition into Scotland; His Defeat and inhumane Murder.

THE worthy Marquess of *Montrose* had since his being banished out of *Scotland*, lived in high respect and honour among all foreign Princes and States, who had a high opinion of him for his valour, his worth, his loyalty, till after the Murder of King *Charles* the First, he came to the King his son then at the *Hague*, profering his service to endeavour a revenge of his Fathers death; and notwithstanding the opposition of *Lanerk*, (now Duke *Hamilton*) and the Earl of *Lauderdale*, and *Calander*, who endeavoured to oppose him in it, he at length obtained from the King a Commission to raise what force he could, and transport them into the North of *Scotland*; but he found so many obstructions in the businessse, and Foreign Princes so backward in their assistance of him, that what by reason of want of moneys, and what by reason of Colonel *Cockrans* (who was sent into *Polland* to raise what men and money he could) and Colonel *Ogilbies* (who was sent to *Amsterdam* to the same purpose) deserting him, forgetting their Commissions, and employing what money they got to their own uses; as likewise the delay, or not coming at all of General *King*, who had promised to bring a good party of Horse out of *Sweden*; there appeared so many obstacles, that it seemed as if some ill Omen hanged over the Design; yet notwithstanding the Marquess resolute in prosecuting it, only with six or seven hundred men in four ships (given by the Duke of *Brandenburgh*) most of them strangers, he resolves to adventure, in hopes of joining the Northern people in *Scotland*, who formerly had experience of his valour & conduct, and who had now no *Humility* to restrain them from coming voluntarily in; two of his

T t

four

The Civill Warres

four ships, with above a third of his small numbers he sent before towards the Islands, and himself with the other two and a small Frigate of fifteen Guns, with fifteen hundred Arms compleat for those Gentlemen who should come in unto him, given him by the Queen of *Swedenland* soon after follows; but arriving at the Islands, he finds that his two ships sent before were by storms cast amongst the Rocks, and with all the men and Arms lost; these misfortunes notwithstanding (enough to discourage the most Magnanimous from any enterprize) the Marquess resolutely proceeds, though contrary to the advice of many who looked upon it as a desperate action with such small numbers to attempt a Kingdom, which was now well settled, and had a standing Army ready to resist all Invasions from abroad, or intestine risings; but the fear the Marquess had not to act any thing in pursuance of his Commission before the treaty was concluded between the Covenanters and the King; and the hopes he had if his Invasion should prove successfull, that it might be a means to bring the Scots to a willingness to accept the King upon better conditions than they then proposed him, spurred him on to his own ruine; he therefore endeavours among the Islands to raise what force he could, and in a short time having possessed himself of *Orkney*, begins to have the appearance of an Army, but it consisted for the most part either of those strangers brought with him, or of these raw & unruly Islanders, who though formerly accounted a fierce people, yet by the policy of later Kings of *Scotland* being kept untrained, were now wholly unskillfull in Military affairs; yet of these he lends over a party into the adjacent parts of *Scotland*, with Commissions to raise what Horse and Foot they possibly could, to whom the Countrey, partly voluntarily, and partly forced, came in, when not long after the Marquess himself landed together with those Gentlemen who were resolved to partake of his fortune, the chief of which were *Colonel Hurrey*, the Lord *Frenderick*, *Colonel Johnstoun*, *Colonel Gray*, *Henry Graham*, the Marquesses own Kinsman, *Colonel James Hay of Noughdon*, *Sir Francis Hay of Dalgetie*, and *George Drummond*, crossed over to the utmost point of *Caithnes*, whence he marched into *Orkney*, the countrey people still flying before him, some never staying till they came as far as *Edinburgh*, where they alarm'd the Parliament, whereupon the Commanders of their Army were immediately summoned, and ordered to draw to general Rendezvous, whilst in the mean time *Colonel Straughan* is sent with a party of three hundred Horse, to oppose the Marquess, who marched slowly, and had, to satisfy the people who were amazed at his Invasion whilst there was a Treaty with the King, published a Declaration, endeavouring to clear himself for any aspersions of sinister ends:

That his intention was only against some particular persons who had against the laws of the Kingdom raised and maintained a War against the Kings Father; and did now by their subtile practices endeavour to destroy the Son also; that he intended nothing against the generality of the Kingdom, and therefore exhorted all subjects of that Nation to endeavour to free themselves from the Tyranny of those who for the present ruled the State, and from the Oppression of the Ministry.

Yet the countrey came not in to him as he expected, the Earl of *Sunderland*, whose countrey lay next to the place where *Montrose* was, having raised what power he could, which though not strong enough to deal with the Marquess, yet hindered those from going

ing to him who would, and likewise obstructed his intercourse with his friends in the *High-lands*; and indeed those Gentlemen who had formerly followed, and did yet incline to assist him, knowing the danger of the enterprize, considering the fewness of his numbers, and the general want of Discipline, unlike to those former Souldiers with which he had gained such strange Victories, despairing of the success, came in but coldly. However the Marquess having secured *Dunbath* Castle for the place of his retreat, advanced till he had intelligence by his Scouts that *Straughans* Forlorn Hope was not far off, which made him march with all possible speed to regain a pass, no great distance from them; but before he could reach it, *Straughans* Horse appeared advancing very fast upon them; so that with the Souldiers running in haste to gain that pass, they were found both out of breath and order; however a Forlorn Hope of one hundred Foot was drawn up to meet them, who giving fire upon them forced them to a disorderly Retreat, till seconded by *Straughan* himself, they made good the charge so furiously upon the *High-landers*, that most of them threw down their Arms, and called for quarter, the *Dutch* and *Hollenders* after they had bestowed a Volley or two among the Horse, retreated among some shrubs, where for a while they gallantly defended themselves, but were forced at length, being over-powered to yield themselves Prisoners; there were in this brush about two hundred slain, and twelve hundred taken Prisoners; for by reason of the coming in of the *Sunderland-men* to the Execution, few escaped; the Standard Royal (whereon was portrayed the Effigies of the late King *Charles* beheaded, with this Motto, *Judge and revenge my cause O Lord*) was in this skirmish taken, and the Standard-bearer slain. The Prisoners of Note were Colonel *Hurrey*, the Lord *Frendrick*, Sir *Francis Hay of Dalgetie*, Colonel *Hay of Noughton*, Colonel *Gray*, with many other prisoners, and two Ministers; the Marquess himself when he saw the day utterly lost, threw off his Cloak which had the Star on it, leaving his Horse, and exchanging his Clothes with a private Souldier, endeavouring by that means to escape, but in vain, for the whole Countrey being out in his search, he was taken, and sent with a strong guard to *David Lesley* who having sent him to *Edinburgh* proceeding to the finishing of that work which *Straughan* (to his great honour and *Lesleys* envy) had done to his hand: First therefore he marched to *Dunbath*, which being out of hopes of relief, yielded the Governour to be Prisoner at Mercy, but the Souldiers being Forraigners had conditions to return home; Coll. *Johnson* and Col. *Graham*, who had been left in the *Orkneys*, hearing of the ill success of their General, took Shipping and returned from whence they came, so *Lesleys* Forces entered without resistance, seizing upon the Arms, which *Montrose* had brought thither, with two Brass Guns, as also that Frigate with all the Arms given him by the Queen of *Swedenland*. The Marquess in the mean time being now in the hands of mortal Enemies, wanted not abuses and Reproaches; yet being come the Earl of *South-Asks* his Father-in-law, he had liberty to see two of his Children. At *Dumdee* a place which had most suffered by his Armies more than any Town in *Scotland*, he was least of all insulted over, but rather pitied; here he again provided himself of Cloaths suitable to his Quality, from whence being brought to *Leith*, he was there met by the Magistrates of the Town of *Edinburgh*, and was from thence by them conducted with the rest of the Prisoners of note, being in number about forty: At the Cannon-gate of *Edinburgh* he was met by some other Officers, and the Hang-man in his Livery Coat, to whom he was delivered, and by him Seated in a Cart, wherein was

The Civill Warres

1650.

framed a high Seat in form of a Chariot, upon each side of which were holes, through which a Cord being drawn, and crossing his breast and Arms, bound him fast down in the Chair, the Executioner as he had been commanded taking off his Hat, but riding himself on the fore-horse with his Bonnet, the rest of the Prisoners tied two and two going also bare-headed before him, he all the way riding in that manner with a countenance expressing so much majesty, courage and Modesty, that his greatest enemies, and those who it was, thought would have stoned him as he passed along, pitied him: Nor did he expresse any anger at their inhumanity, but only the next day told the Ministers that were sent to him, That they thought they had affronted him the day before by carrying him in a Cart, but they were much mistaken, for he thought it the most honourable, and joyfulllest journey that ever he made, God having all the while most comfortably manifested his presence to him, and furnished him with resolution to overlook the reproaches of men, and to behold him for whose Cause he suffered. Upon the Munday he was brought to his Trial before the Parliament, and after a long speech of the Chancellors, recounting his miscarriages against the first Covenant, the League and Covenant, his Invasion, and joyning with the *Irish* Rebels, and blood-guiltiness, and that now, how they had brought him to his just punishment: He desired to know if he might be allowed to speak for himself, which being granted he said,

Since you have declared unto me, that you have agreed with the King, I look upon you, as if his Majesty, were sitting amongst you, and in that relation I appear with reverence bare headed: My care hath been alwayes to walk as becomes a good Christian, and a Loyal Subject: I engaged in the first Covenant, and was faithfull to it, untill I perceived some private persons under colour of Religion intended to wring the Authority from the King, and to seize on it for themselves; and when it was thought fit for the clearing of honest men, that a bond should be subscribed, wherein the security of Religion was sufficiently provided for, I subscribed: For the League and Covenant, I thank God I was never in it: & so I could not break it; and the sad consequences that have followed on it, these poor distressed Kingdoms can witness: For when his late Majesty had by the blessing of God almost subdued those enemies that rose against him in *England*, and that a Faction of this Kingdom went in to the Assistance of them, his Majestie gave Commission to me to come into this Kingdom, and to make a diversion of those Forces that were going from hence against him: I acknowledge the Command most just, and I conceived my self bound in Conscience and duty to obey it. What my carriage was in this Country, many of you may bear witness: disorders in any Army cannot be prevented; but they were no looner known then punished: Never was any blood spilt but in battell, and even then many thousand lives have I preserved, and as I came in upon his Majesties Warrant, so upon his Letters did I lay aside all Interests and retreated: And for my coming in at this time it was by his Majesties command, in order to the accelerating of the Treaty betwixt him and you, his Majesty knew that when ever hee had ended with you, I was ready to retire upon his call. I may justlie say, that never Subject acted upon more honourable grounds, nor by a more lawfull Power then I did in this Service. And therefore I desire you to lay aside prejudice, and consider me as a Christian in relation to the justice of the quarrel, as a Subject in relation to my Masters Royal Commands and as your Neighbour in relation to many of your lives I have pre-

preserved in Battell; and be not too rash, but let me be judged by the Laws of God, the Laws of Nature and Nations, and the Laws of this Land; If you do otherwise, I do hear appeal from you to the Righteous Judge of the World, who one day must be both your Judge and mine, and who alwaies gives righteous Judgement.

1650.

Having ended this Defence, he was commanded to withdraw, whilest the Parliament soon relolved his Sentence, and remanding him to the Barre, it was pronounced in this manner:

You are to be carried back to the place from whence you came; and from thence you are to Morrow being the one and twentieth of May, 1650. to be carried to Edinburgh Crosse, and there to bee hanged upon a Gallows Thirty Foot high, for the space of three hours, and then to be taken down, and your Head to be cut off upon a Scaffold, and hanged on Edinburgh Tolbooth, and your Legs and Arms to be hanged up in other publique Towns of this Kingdom and your Body to be buried at the place where you shall be Executed, except the Kirk shall take off your Excommunication, then your body shall bee buried at the common place of buriall.

After the reading of his Sentence, he would willingly have said something, but was not admitted by the Chancellour, who commanded him to prison, whither he was no sooner come, but he was visited by the Presbyterian Ministers, who assaulted him afresh with the aggravation of the Terror of his Sentence, of which he took no notice, but only told them, That he took it for a greater Honour to have his Head stand upon the Prison-gate for this quarrel, then to have his Picture in the Kings Bed-chamber; & lest his Loyalty should be forgotten they had highly honoured him in designing lasting Monuments to four of the Chiefest Cities, to bear up his memoriall to all Posterity, wishing he had had flesh enough to have sent a piece to every City in *Christendom*, to witness his Loyalty to his King and Country. The next day according to the Sentence given, he was attired in a rich Scarlet Cloak, brought to the Scaffold, deporting himself all the way with such a grace and Magnanimity, that it struck amazement and pity into his very Enemies. Being upon the Scaffold hee spake to the People to this Effect.

I am sorry if this manner of my death be scandalous to any good Christian. Doth it not often happen to the Righteous according to the *ways* of the Wicked, and to the Wicked according to the *ways* of the Righteous? Doth not sometimes a just man perish in his Righteousnesse, and a Wicked man prosper in his malice? They who know mee, should not disesteem me for this, many greater then I have been dealt with in this kinde: yet I must not say but that all Gods judgements are just; for my private sins, I acknowledge this to be just with God, I submit my self to him; but in regard of man I may say they are but instruments God forgave them, I forgive them; They have oppressed the Poor, and violently perverted judgement and justice, but he that is Higher then they will reward them: What I did in this Kingdom, was in obedience to the most just Commands of my Sovereign, for his Defence in the day of his Distresse against those that rose up against him. I acknowledge nothing, but fear God and honour the King, according to the Commandments

1650.

dements of God and the Law of Nature and Nations : (And I have not sinned against man, but against God, and with him there is mercy, which is the ground of my drawing near to him. It is objected against me by many, even good people, that I am under the Censure of the Church, this is not my fault, since it is only for doing my Duty, by obeying my Princes most just Commands; for Religion his Sacred Person and Authority: yet am I sorry they did Excommunicate me. and in that which is according to Gods Laws, with wronging my Conscience or Alledgiance, I desire to bee relaxed; if they will not do it, I appeal to God who is the righteous Judge of the World, and who must and will I hope be my Judge and Saviour. It is spoken of me, that I should blame the King; God forbid, for the late King, he lived a Saint and died a Martyr, I pray God I may so end as he did: If ever I should with my Soul in another mans stead, it should be in his. For his Majestie now living, never people I believe might be more happy in a King; his commands to me were most just, in nothing that he promisseth will he fail, he deals justly with all men, I pray God he be so dealt withall, that hee be not betrayed under trust as his Father was. I desire not to be mistaken, as if my carriage to you at this time, in relation to your wayes were stubborn, I do but follow the light of my own Conscience, which is seconded by the working of the good Spirit of God that is within me. I thank him, I go to Heavens Throne with joy, if he enable me against the fear of death, and furnish me with courage and confidence to embrace it, even in its most ugly shape, let God be glorified in my end, though it were in my condemnations; yet I lay not this out of any fear or distrust, but out of my duty to God, and love to his People. I have no more to say, but that I desire your charity and prayers. I shall pray for you all, I leave my soul to God my service to my Prince, my good will to my Friends, and my Name and Charity to you all. And thus briefly I have exhonerated my Conscience.

Then being desired by some to pray apart, he said, *I have already poured out my soul before the Lord who knows my heart, and into whose hands I have commended my Spirit, and he hath been graciously pleased to return me a full assurance of peace in Jesus Christ my Saviour, and though you will not joy with me in prayer, my retreating again will be both scandalous to you and me.* So closing his eyes, and holding up his hands, he stood a good space at his inward Devotions, being perceived to be inwardly moved all the while; when he had done, he called for the Executioner and gave him Money, then having brought unto him (hanging in a cord) his Declaration and History, he hanged them about his Neck, saying, *Though it hath pleased his sacred Majesty that now is, to make him one of the Knights of the most Honourable Order of the Garter, yet he did not think him self more honoured by the Garter, than by that Cord with the Book which he would embrace about his neck with as much joy and content as ever he did the Garter, or as a chain of Gold, and therefore desired them to be tied unto him as they pleased.* When this was done, and his Arms tied, he asked the Officers, *If they had any More Dishonour (as they conceived it) to put upon him, he was ready to accept it:* And so with an undaunted courage and gravity suffered according to the sentence passed upon him. A person he was rather bewailed as a publick then private losse, his extraordinary endowments, accompanied with so admirable a courage and conduct, having rendred him the mirror of *Christendome*; his *sweet affability, pleasing and humble carriage to all, nay to his very Enemies,*

of Great Britain and Ireland.

335

1650.

enemies, making him to be deservedly admired; in sum, he was both for his valour and loyalty the glory of *Scotland*; but being guilty of so high a crime as the last (though the chief of virtues) was in those dayes accounted, he became subject to the fury and violence of those who having once forfeited their loyalty, must needs be insensible of their honour or glory: Soon after him Colonel *Hurrey*, Mr. *Spotswood*, Sir *Francis Hay of Dalgetie*, Colonel *Sibbalds* (who was taken at *Musselburgh*, where 'tis supposed he lay to give intelligence to *Montrose*) and Captain *Charters*, suffered, having all of them the honour to be beheaded, denied to their General. These proceedings against *Montrose* made many men guesse would cause a rupture of the Treaty which was then reported to be well nigh concluded between his Majesty and the *scots*, and indeed (though it was too much against his Majesties Interest to break it off, considering how unfortunately his affairs went on in *Ireland*, and other parts) he could not but expresse his resentment of it, by telling them in a message sent by Mr. *Murray*, That it could not but grieve and perplex him, to hear, that whilst they pretended to conclude a peace, they proceeded in a way of War; and that whilst they treated of an accord with him, they shed the blood of his best Subjects, and that in such a manner, that if true as reported, they could not imagine but it must extremely incense him; therefore desiring them to give him an account of the business. To this they returned answer; That their affections were still real to him, that it rejoiced their very souls to hear that he would be willing to concur with them in a Peace and agreement. That as for the death of *Montrose*, they desired it might be no obstacle in the way, for that they did nothing in it but with a real intention to promote his Interest. Nor proved it any more then a short demur, the necessity of the Kings affairs forcing him to conclude the Treaty almost upon their terms, as in the next more particularly.

CHAP. XCIII.

A Treaty at Breda between the King and the Scottish Commissioners concluded; He arrives in Scotland.

THE *scots* according to their resolutions having sent the aforementioned Commissioners both for the King and State to treat with the King, they arrived at *Breda* on the fifteenth of March, whither the King being not yet come, they went the next day to meet him, and on the seventeenth accompanied him thither from *Bergen ap Zome*: On the eighteenth the Commissioners were visited by the Earls of *Lauderdale*, *Gallender*, and *Dumfermling*, and the next day attended by the Lord *Wentworth* they were brought in the Kings Coach to a Chamber, where the King waited upon by the Lords of his Council late to give them Audience: being brought into the Presence, the Earl of *Cassils* in the name of the rest of the Commissioners for the Estates, presented his Majesty with the message, and withall told him:

That the Kingdom of *Scotland* upon his late message, together with the consideration of all former Overtures unto him, had now again sent to him those propositions which they humbly tendered to his Majesty, not that they had thoughts to force him to a compliance through his necessity to his prejudice, or to weary him by importunities; but by making their loyal addresses to him by this their humble submission, in which their desires

The Civill Warres

1650.

desires they hoped would appear so reasonable & just that he would soon condescend unto them, which they humbly begged at his hands, assuring him by that means, he would be most powerfull in the advancing and establishing his Throne, it being the nature of his loyal Subjects & all truly noble minds to be soonest overcome by such allurements. That in these their humble Addresses they did manifest to the world their loyalty & constancy to him; neither was it their purpose to flatter, but to be faithfull and free. That if he would please to condescend to what was propounded by the Kingdom of Scotland, it would make him happy, and give them some hopes to live at peace under the shadow and wings of his Government.

This Speech of the Earl of *Cassils* was seconded by a short Speech made by one Mr. *Livingston* in behalf of the Commissioners for the Kirk, earnestly pressing his Majesty to hearken to the joynt desires of the Estates and Kirk of Scotland, that so he might enjoy the blessing of God, and be received by his people in comfort and peace, to promote the work of the Lord and make them happy.

The Addresses ended, their Commissions were demanded, which together with the Propositions of the States and Kirk of Scotland they produced, and the Propositions they delivered, which were to this effect.

That all those who had been, and did continue Excommunicate by the Kirk of Scotland should be removed from having any access to Court. That his Majesty would be pleased to declare, that he would by Solemn Oath under his hand and Seal allow the National Covenant of Scotland, and the Solemn League of Scotland, England, and Ireland, and that he would prosecute the ends thereof in his Royal Station. That his Majesty would ratifie and approve all Acts of Parliament enjoying the Solemn League and Covenant, and establishing the Presbyterian Government, the Directory of Worship, the Confession of Faith, and the Catechism in the Kingdom of Scotland, as they were already approved by the General Assembly of the Kirk, and by the Parliament of the Kingdom. And that he would give his Royal assent to the Acts of Parliament, enjoying the same in the rest of his Dominions, observing the same in his own practice and Family, and never make opposition therein, or endeavour any change thereof. That he would consent and agree, that all matters Civil might be determined by the present and subsequent Parliaments of the Kingdom of Scotland, and all matters Ecclesiasticall by the ensuing General Assembly of the Kirk, as was formerly condescended and agreed unto by his late Father.

To these Propositions the King at that present returned answer, That he would take them into consideration, and doubted not to give them such a full answer as should give them and his Kingdom of Scotland ample satisfaction. But soon after it was demanded of the Commissioners, whether those papers they had delivered contained all the particulars which they had so propounded or desired? Whether they had power to treat from any particular proposed or to be proposed? As also what they had farther to propound for carrying on the service against England? To which Queries the Commissioners returned answer; That they had acquainted his Majesty with the utmost of his power and Instructions. Hereupon the several businesses fell into debate, the businesses of
into

into debate, the businesse of the Covenant taking up a great deal of time, His Majesty alleading;

1650.

That there was no reason why he should relinquish the Religion for which his Father had dyed a Martyr, and that whilst he was lo willing to permit to his Subjects Liberty of Conscience, it would be very inconsistent with their so earnestly pretended desires of Peace and Agreement, to deny him the same Privilege which hee was lo ready to give them. That the Covenant by them tendered unto him, was an Obligatory Covenant to bind the Subjects to him, and not for him to swear to, and therefore hee judged it sufficiently satisfactory to passe an Act for the Peoples taking of it.

Nor wanted there those who as they had done in the former Overtures at *Jersey*, endeavoured might and main to oppose the going forward of the Treaty, either out of favour to his *Montrose* his designs, or out of detestation of the former *Scottish* perfidy to his Majesties Royal Father; when on a sudain the Kings going from *Breda* to the *Hague*, (to consult as was supposed with the Prince of *Orange* and Queen of *Bohemia*) made many men think, that he likewise had an intention to break off the Treaty, but his as sudain return again to, and about it, easily cleared that suspicion; for now the businesse went on with greater successe then ever before, there not wanting many who were as earnest with the King to come to a conclusion with the Scots (such were Duke *Hamilton* the Earls of *Lauderdale* *Calender*, *Dumfermling*, & other *Scott* Lords, besides the Lords *Piercy*, *Wilmot*, and many others of his Council) as the other party were to perswade him not to trust himself into their hands; so that what with their perswasions, and the considerations of the tottering Estate of *Ireland*, the little hope to be had of *Montroses* design, or any help frō Prince *Ruperts* Navy, he was made inclinable to a speedy agreement with the Scots, and nigh concluded was the businesse, when advice came of the Marquesse of *Montroses* defeat and Ignominious death, which put some demur to the conclusion of it, those that were against the agreement, heightning the businesse, and alleading that those who had dealt thus with his Lievtenant, would do the same with him were hee in their power, & that they cunningly & subtilly endeavoured to get him into their snās that they might betray him; but yet his Majesties necessities were at that time so prevalent, that he only in a Message expostulated with them the putting to death of his best Subjects in a time when they were in treaty with him, as hath been laid before, and the Treaty was notwithstanding soon after fully concluded, and all things agreed upon, the King having granted the most effectuall parts of their desires. Yet for all his condiscensions, it was put to the question in the Parliament of *Scotland*, whether they should make any further Addresses to the King, and thirty there were (supposed to comply with the Sectaries in *England*) that gave their Votes in the Negative; but the plurality of voices carried it in the Affirmative, and so another Message was agreed to be sent to him, inviting him with all possible speed to come over to them, protesting that they would assist him with their Lives and Fortunes to establish him in his Throne. Yet signifying their having some testimonies to produce of his actions (for it seems they had intercepted three or four of the Kings Letters to the Marquesse of *Montrose*) contrary to his promise to them at the Treaty at *Breda*, how ever they were willing to passe over what was past, so that hee would without delay according to the Articles of Agreement come over into *Scotland*,

1650.

and comply with his Parliament and Kirk : And having dispatched away his Message, they proceeded to the preparation of all things convenient for his Reception, furnishing two Houses in *Edinburgh*, for the residence of Him and his followers and took into consideration the Nomination of Officers, for his Household; for they were resolved that he should have none to wait upon him but such as they should appoint, and besides the banishment of the *Cavalier English* Lords from his presence, they likewise forbid severall Scots of quality, as *Duke Hamilton*, Earls of *Lauderdale* and *Seaforth*, and others approach to, or residence in his Court. About the beginning of *June* his Majesty took shipping at *Scheveling* in *Holland*, and after a tedious storm, and narrow escape of some *English* Vessels which lay in wait for him, he arrived at *Spey* in the North of *Scotland*, whither some Lords were sent down to receive him, & to accompany him to *Edinburgh*, where he was received with high acclamation of joy from the people, & entertained with very affectionate complements and congratulations of his safe arrival from the Grandees. And on the fifteenth of *July*, he was again solemnly proclaimed King at *Edinburgh* *Crosse*, and was designed the next moneth to have been Crowned, had not some obstacles happened in the interim. The Town of *Aberdene*, some time after his arrival, presented him with fifteen hundred pounds sterling, which the Parliament were disgusted at, and Ordered, That for the future, all such as had any sums to bestow, should bring them into the publick Treasury : Thus they would not permit the King to receive, or be Master of the Benevolence which should be presented to him by his Subjects. And moreover to *Dundee* they sent him other conditions to sign, and began afresh to reform his retinue, and purge his house of those Malignants, as they called them, which he had got into his service, whom they permitted not likewise to bear any Office either about his Person, or in the Army : and they likewise had appointed a strong Guard of their own to wait upon his Majesty, and attend his motions : but they had all the while they were in expectation of his arrival endeavoured to form an Army for his service as they pretended, and had to that effect published an Act for the training of every fourth man who was capable to bear Arms throughout the Kingdom : Of this the Earl of *Leven* was made General of the Foot ; and *Holburn* Major General, *David Lesley* Lieutenant General of the Horse, and *Montgomery* Major General ; the command of *Generalissima* being reserved for his Majesty himself. With this Army it was supposed they intended to invade *England*, and endeavour the establishment of his Majesty in that Throne, of which proceedings of theirs the Junctio of Commons had constant advice, for some there were even in their privatest Counsels who gave them Intelligence of their most secret Debates ; and indeed notwithstanding their earnest endeavours to compleat their Levies, and the high persuasions of their Ministers to engage the people in this Cause, yet some obstructions there were by reason of their divisions among themselves, for there were no lesse then three Factions regnant among them ; for some there were even in the Army itself who had no great mind to what they went about ; but rather inclined to the Sectaries in *England*, and were somewhat disaffected with the Kingly Authority, as appeared by their after Remonstrance to the Committee of Estates, wherein they tax them of too much haste and precipitation in their Treaty with the King, and their entertaining and receiving him amongst them before he had given any convincing evidence of a real change, nay when he was known to have given encouragement and commission to *Montrose* to invade *Scotland* : Manifesting an utter dislike and misowning of theirs and the

the Kings proceedings, as fully perswading themselves, that his profession of the cause and Covenant was merely counterfeit, as appeared by his favouring and frequenting the wicked company of *Scottish* and *English* Malignants, therefore absolutely refusing to submit to his power and Authority; Declaring likewise against their intentions of invading *England* for his sake, &c. The chief of this Faction were Col. Ker, Col. *Straughan*, the Lord *Waristoun*, and Sir *John Cheisly*; who though they declared against King and Lords, yet absolutely expressed their intentions to oppose the *English* sectarians. Another Party there was under the young Marquess of *Huntley*, the Earls of *Athol* and *Seaforth*, the Lords *Ogilby* and *Newburgh* with the *Gordones*, who were ready to appear absolutely for the King, without any respect had to the Committee of Estates or Kirk; but these could by no means be brooked by the Parliament and Kirk, who were the most potent party; & who had notwithstanding all oppositions almost completed their Leavies to sixteen thousand Foot, and six thousand Horse, the number designed, and daily by the industry of the Ministers, who preached to the people the Justice and Necessity of their taking Armes in that Cause, numbers came in voluntarily and proffered their service: But whilst they were making all this provision to carry the War into *England*, it was by the policy of the Juncto there brought to their own doors, for it was adjudged (and indeed has been by all Politicians observed) far more convenient to assault that Countrey first from whom they expected an Invasion, then to sit still, or stand only on the Defensive part whilst the War should be brought into the bowels of their Countrey.

CHAP. XCIV.

Cromwell enters Scotland, Dumbar Fight.

According to the Resolutions of the Juncto of Commons to make an offensive War against the *Scots*, *Cromwell* having received his Commission, and being by Act of Parliament constituted General of their Forces, advances towards the Borders of *Scotland*, which extremely startles them there, notwithstanding their great Leavies, and brings them to an Expostulation with those in *England* about it, as likewise concerning the searching and stopping several Ships of theirs, charging them with the breach of their pacification: but the Juncto in *England* justify their proceedings as grounded upon sufficient provocations, as their late Invasion of *England* under Duke *Hamilton*. Their present Treaty with and reception of the King the professed Enemy of the Commonwealth of *England*, and therefore they resolve to go forward in what they intended, and as they had expressed in their Declaration of the 26. of June, setting forth the many injuries received from the *Scottish* Nation, together with their averresne to come to an agreement or reconciliation, and that therefore they were forced to seek redresse by Arms, and had now sent their Army against them only to prevent another Invasion from them. So on goes *Cromwell*, and on the two and twentieth of July enters *Scotland*, setting forth at his entrance the ensuing Declaration to the godly and well-affected in that Kingdom, desiring them to consider;

That the inconstancy of their Religion and Liberties with the Kings Interest and former constitution of Parliament did not arise from other jealousies or pretences, but from the hardnesse of the Kings heart, and the backsliding of a greater part of those that

The Civill Warres

were interested in the Parliament, by their acquiescing in their Concessions, and endeavouring immediately to bring in the Kingdom upon them. Thus they therefore reckoned it no breach, but a religious keeping of the Covenant according to the equity thereof, when their Parliament for Religion and Liberties sake, and the Interests of the people did remove the King and Kingship: As also they assert themselves Keepers of the Covenant, when the competition hath been between the Form and Substance, if they had altered some Forms of the Government in part for the Substance sake; that as for those who are of the Presbyterian Government, should have all freedom to enjoy it, and were perswaded, that if it be so much of God as some affirm; if God be trusted with his own means, which is his Word powerfully and effectually preached, without a too busie meddling with, or engaging the Authorities of the World, it is able to accomplish his good pleasure upon the minds of men, to produce and establish his purpose in the world concerning the Government of his Church: But that which most awakens and stirs up the Army, is, that notwithstanding all the wrongs done to *England* from *Scotland*, they refuse to do us right; so that what wrongs soever wee have, or shall sustain, must bee without remedie, and wee also without security for the future, as is sufficiently expostulated in the Parliament of *Englands* Declaration; and the seeds laid of a perpetual War by taking our grand enemy into our bosomes, and your Engagements to him in the late Treaty with him to restore him to the possession of *England* and *Ireland*, and therefore we call Heaven and earth to witness, Whether or no we have not cause to defend our selves by hindering the present power of *Scotland* from taking their time and advantage to impole this upon us; and they have now any just reason to wonder at the approach of an Army to their Borders, and the taking of some of their Ships by ours: yea whether our coming into *Scotland* with an Army upon so clear a ground be any other then a just and necessary defence of our selves, for preservation of those Rights and Liberties which divine Providence hath through the expence of much blood and treasure given us, and those amongst you have engaged they will if they can wrest from us: unless it must be taken for granted that the Parliament of *England* ought to sit still and be silent whilest their Ruine is contrived, their Friends and Brethren destroyed, by Sea and Land, of whom in conscience and duty both before God and Man they ought to preserve.

This Declaration he sent as a forerunner of his Army into *Scotland*, by a Trumpet of his own, which was soon after answered by another from the Committee of Estates of *Scotland*. About the middle of July *Cromwell* with his Army consisting of about sixteen thousand Horse and Foot, crossed the *Tweed*, and went the first night as far as *Morington*, the Country People being fled away for fear, leaving their Houses either empty, or only with the Women in them; From thence hee advanced to *Cobberpeth*, and so to *Dumbar*, where some ships were arrived with provision for the Army, which being refreshed, marched off to *Haddington*, where advice was brought to *Cromwell* that the *Scots* had an intention to meet him on *Gladsmore*, which made him hasten to gain what advantages the Moore afforded, but finding the *Scots* not appear, he marches to *Musselburgh*, within six miles of which the *Scots* lay strongly encamped, their Line being flanked with great Guns, yet *Cromwell* had resolved, if the wet and rainy weather had not prevented him, to have attempted upon them, but by reason of it, and his Souldiers wearynesse

wearynesse with lying in the fields, he refrained, and drew off again to refresh his Army, when the Scots taking the advantage, fell upon his Rear with a party of Horse, and disordered them, till they seconded by Major Generall Lambert and Col. Whalley with other parties, made good the Charge, routed the Scots, and pursued them to their veris Trenches, and so the Army marched quietly to Muselborough, where soon after they were in the Night disturbed by fifteen Troups under the Command of Major General Montgomery, who fell upon their quarters, forced their Guards, disordered a Regiment of Horse; but the whole Army taking the Alarm, charged and routed Montgomery, pursuing him almost to the Scots Camp. to this successe the English soon after adjoynd the taking of Colington-house and Red hall, and in the last the Lord Hammliton, Major Hammliton, with good store of Provision and Ammunition; and then advanced nigher the Scots Army, who were now in motion, both Armies so marching side by side that they were in view of each other, only a Bogg betwixt them hindred their engagements or any other effects besides the playing of their great Guns one at the other, and that with little dammage. At length the English seeing that they could not provoke the Scots to a Battel, marched away to Dumber, whether they were followed by the Scots, who gaining a Passe at Cobersteth, so shut them in, that they bragged they had them in Essex his Pound; besides, the want of Provisions had so strained the English, and they daily sickned, so that nothing but an early resolution could do any good; which Cromwell was resolved to take, and if all must be lost, to adventure to lose it gallantly; and therefore he determined either to force his way through the Enemy, or lose all valiantly in the attempt: Besides, the security of the Scottish Army added much to the more easie effecting the businesse. On the third of September early in the morning, in pursuance of his resolution, Cromwell appointed a party of Horse to charge those who maintained the Passe, which they did with so much courage, that they forced them from their Post and gained the Strai; whereupon the whole Army fell on, and after an hours Engagement the Scots Horse fled; which their Foot perceiving, immediately threw down their Arms and fled. The victory on Cromwells side was absolute, about four or five thousand Scots slain, the Lord Libertoun and Col. Lumsdale mortally wounded, Lieutnant General Sir James Lumsdale with about ten thousand taken prisoners, among which two hundred and sixty Officers two hundred Colours, fifteen thousand Arms, and thirty piece of Ordnance, And to make the victory more glorious, these Colours, & those taken from Duke Hammliton at Preston, were by the Juncto of Commons Ordered to be set up, the one in one side of Westminster-hall, & the other on the other, there to remain as Trophees of the Scots defeats. This overthrow made Cromwell Master of the Cities of Edinburgh & Leith, into which soon after the battel he enters, applying himself to the siege of Edinburgh Castle a place of great strength, yet notwithstanding after no very long siege surrendered to him, which made some suspicet that he rather battered it with bullets of silver the stone or Iron.

This loss of the Scots Army was accompanied with the news of the deceale of his Majesties Sister the Princess Elizabeth, who with her Brother the Duke of Gloucester had been kept in Carisbrook Castle by the Parliament, where on the eighth of September, wasted with grief for the death of her Royall Father, gave up her pious Soul to God. And not long after her, about the latter end of October, died the Prince of Orange Brother in Law to his Majesty, a person from whom he had received many demonstrations of affection and good will. The Princess Mary his Widow was within few moneths after

The Civill Warres

after his death delivered of a Posthume Son, which somewhat qualified the sorrow for his losse.

In the mean time, whilst *Cromwells* Army was victorious in *Scotland*, the *Jurists* likewise endeavoured to secure themselves from stirres in *England*, One Col. *Eusebius Andrews* being taken with a Commission to raise Forces for his Majesty, was beheaded, and one *Benjon* hanged for being privy to the same. A small rising there was of some Gentlemen in *Norfolk*, but upon the appearance of the County Forces, and two Troops from *Lynne*, they dispersed, some of the chief being taken and Executed.

CHAP. XCV.

The King marches into England, his totall Defeat at Worcester.

It was by most supposed, that the death of his Sister and Brother-in-law, the Princess *Elizabeth* and the Prince of *Orange*, did far more afflict his Majesty then the losse of the *Scottish* Army at *Dumbar*: For he had reason to think, that had the Kirk been successful, they would have been far more Imperious then they were, yet notwithstanding their ill Fortune, such was the hardnesse of their Impositions upon him, their strange industry to purge his house, and endeavours to force a Declaration from him against his own Party and interest, that his Majesty no longer able to comport their insolencies, notwithstanding the Guard they had put upon his Person, accompanied onlie with four Horse-men, departed privately in discontent towards the North of *Scotland*, where the Marquesse of *Huntly* the Earls of *Athole* and *Seaforth*, the Lords *Ogilby* and *Newburgh*, with the *Gordons* and the men of *Atholl* were ready to appear for him, and were capable by the assistance of Major General *Middleton* to raise a considerable Force. His suddain departure very much perplexed the States and Kirk, the more because they feared his going to the aforementioned party, to whom they therefore send an Act of Indempnity, provided they would quietly disband; but that producing no other then the falling upon sir *John Browns* Regiment, killing and taking some of them Prisoners, Lieutnant General *Lesly* was appointed to be sent against them, though they knew it to be far more for their interest to unite against the Comon Enemy: But in the mean time serious debates were had in the Committee of Estates and Kirk, concerning the King, where some mens rigidnesse carried them so far as to propole, That in regard he had deserted them, no farther Addresses or Applications should be made to him: But by the prevailing Votes of the more moderate party, it was concluded That Major General *Montgomery* should speed after his Majesty with a party of Horse, and with earnest supplications endeavour his return to *St. Johnston*. *Montgomery* accordingly goes, and finding his Majesty at the Lord *Dudops* Houle, he surrounds it, & sends in to acquaint his Majesty with the desires of the Committee of Estates, begging his return back, which the King at first absolutely refuses, being in the mean time earnestly solicited by the Northern Forces to adhere wholly to them; which had like to have made the breach irreparable; but at length, by the industrious endeavours of Mr. *Scots Gray*, a Gentleman of the Bed-chamber, who rid day and night between both Parties, a reconciliation was effected, and the King returned with *Montgomery* to *St. Johnston*: But notwithstanding the agreement between the King and States, *Huntly*, *Seaforth*, *Middleton* and the *Atholl* men refused to submit, though the Kings Authority were used to command them; but having

having possessed themselves of *Aberdeen*, marched with their whole Force directly to *St. Johnston*: Nor would they hearken to another Act of Indemnity, with which they were accosted, unless likewise they might be received into Offices and State-employments, and others of their demands conceded to: So with two thousand Foot and nine Hundred Horse, they marched within a mile of the Town, where it was supposed by many, that *David Lesly* who was there with fifteen hundred Horse, would have engaged them; but the business was more fortunately cemented by Treaty, the Earl of *Lithgow* and all others, who had been Actors in 1648. being admitted to Offices of Trust, and places in Parliament. But this Treaty so displeased the Ministers at *Sterling*, that they protested against it, and in opposition of it Excommunicated *Middleton*, to the great displeasure of the Committee of Estates, who saw an absolute necessity of uniting all interests, whilst their Divisions did both weaken themselves and strengthen the common Enemy. And when the Assembly at *Sterling* were summoned to the General Convention of King, Lords, Barons, Burgesses and Assembly of Ministers, agreed to be held at *St. Johnston*, to consult for the good and safety of the Kirk, King, and Kingdom: They were refractory, that they refused to come, pretending several things against the convention; and alleging that might better be held at *Sterling* which advising them to keep a greater distance from the King and Council: Nor would they be reduced to so much reason as to come to the Convention, till the Committee of Estates, after some Messages of entreaty, at last sent them Word, That they held *St. Johnston* the fitter place, and if they would not joyn with them in that Meeting, they should look upon them accordingly, and provide for their own securities: Whereupon, with much ado it was by the Majority of Votes concluded, that the Assembly should remove to *St. Johnston*: So that no vail Interests seemed to be united, (for *Ker* in the West had so far complied with the Committee of Estates & Kirk, that he had secured *Coll. Strauchan*, who seemed to incline to the English, but was himself setting upon a party under *Lambert* totally routed, and taken prisoner) only some few in the *Highlands* refused to submit; with whom *Middleton* was by Commission from the King sent to Treat: But diverse of the Scots Lords, as *Duke Hamilton*, *Lauderdale*, *Leith*, *Crawford*, *Buchan* and *Dudop*, were received into favour with the Kirk, preferred to commands in the Army, and to some of them to places in Parliament.

This Agreement produced first the Coronation of the King, which was performed at *Scoone*, on the first of *January*, with all usual Pomp and Solemnity: Next to which, care was taken for the levying of a potent Army for his service, to which end his Standard Royal was appointed to be set up at *Aberdene*, himself resolving to command in person as Generalissimo over this Army, of which *Duke Hamilton* was appointed Lieutenant General, *David Lesly* Major General, *Middleton* Lieutenant General of the Horse, and *Lesly* Commander in chief over all the English: Nor were the Royalists only admitted to these General Commands in the Army, but in the beginning of *March* when the Sessions of Parliament met again, *Duke Hamilton*, the Marquess of *Huntley*, the Earls of *Callander*, *Crawford* and others, having passed a form of submission called *The Stool of Repentance*, in which they had much favour and indulgence shewed, were admitted to their Seats in the House of Parliament: Where at the beginning of the Sessions, a Committee consisting of *Duke Hamilton*, the Marquess of *Argyle*, the Earls of *Edington*, *Glencairne*, *Dumfermling*, *Weems*, *Callander*, Chancellor *London*, and the

The Civill Warres

the Lord *Kirkcubright*, were appointed to consider of State affairs, and proceed against all such who any way opposed the proceedings of the Parliament, whereby many were brought under the lash for their Estates, and others tried for their lives, for holding correspondence with *Cromwells* Army, so that all means possible were used to compleat the Levies, the King himself being very active in furthering them, and at a General Rendezvous on the East side of *Fife*, encouraging the Souldiers in person; but the visible discontents of the *Argyllian* Faction, and others of the more Covenanted strain beginning to appear, made some demurs in proceedings; the reasons of their discontents proceeding from the way which the Royalists began to bear in Parliament, whereby they seemed as cast under a cloud, the Earl of *London*, who had ever of custome been Lord Chancellor, being removed from his Presidentship, and the Lord *Burleigh* substituted in his place; the Earl of *Sutherland* hereupon absolutely refused to concur in these transactions: These discontents were by all possible means inflamed by some of the Ministry, particularly by Mr. *James Guthrie*, (who had been formerly confined for his clamours against State proceedings) Mr. *Andrew Cant*, and Mr. *Patrick Gillespie*; but some there were whose more moderate spirits endeavoured to smother these appearing differences before they should break out into a flame; such were Mr. *Robert Dowglaße*, and Mr. *David Dick*, who inveigled against such as went about to keep up the name of Malignants, or make and breed Divisions; telling the people, That they must now all become one mans Children.

The Parliament of *Scotland* did little this Session except the giving order for the compleating of the Levies, and then adjourned till the seventeenth of *April*. In the mean time *Cromwel* and his Army were not idle, for besides the taking of the strong Castle of *Edinburgh*, two strong Castles of *Hume* & *Tamallon*, which extremely hindered the passage between *Edinburgh* and *Barwick*, were surrendered unto them; and indeed all places on the south side of *Fife* were brought under their subjection: Which made his Majesty take the more special care for the fortification of *Sterling*, the most convenient Place over the *Fife*, the Works and Lines of which he often went in person to view, and hasten the compleating of it, resolving for the better strengthening of it, to make it the place of his Residence; whilst with all vigour likewise the compleating of an Army for the Summers action, and to curb the proceedings of the *English* (who had now not only taken *Blacknesse* Fort, but had likewise surprised the Earl of *Eglington*, (a person of great power and consideration) together with one of his Sons at *Dumbarton*) was prosecuted. At length the time of the Adjournment being consummate, they again re-assembled: where first several desires of his Majesty were debated, as first, "That an Act about the Classes of Malignants might be annulled, and another Act for the repealing it passed: That there might be no mention of the name of Malignants any more amongst them: That Duke *Hamilton*, the Earls of *Seaforth*, *Caikender* and others, might have full command. These desires of the King, notwithstanding the grand opposition of *Argyle* and his Adherents, were at length consented to: So that now all interests being united, the Levies went on apace; and about the beginning of *June*, the Scots Royal Army drew over the *Fife*, and encamped in *Sterling* Park towards *Torwood*, the Army being increased by near eight thousand Horse and Foot, levied by *Middleton* in the *Highlands*; and the Town of *Dundee* having (to shew their Loyalty and affection to the King) advanced a compleat Regiment of Horse at their own charge; and

and for a present to his Majesty, they sent him a very rich and stately Tent, besides six curious Brass Field-pieces

1650.

Cromwell having advice of the Kings having drawn his Army on the south side of *Fife* (Rendezvous his Forces, and faces the Royal Army (who were enclosed with a Regular Fortification) hoping yet to draw them out to a Field battel, but other supplies being yet expected, they found no resistance but what they received from the Artillery; though further to provoke, they within sight assaulted *Callander-house*, kept by a Garrison of *Scots*, which in the fight of the Camp having made a gallant resistance, was taken by storm, without so much as one man stirring towards its relief for they resolved not to stir till the Leavies which *Huntley*, *Argyle* and *Seaforth* were gone to hasten should come up. But whilst the Armies lay thus neer one another, there was some debate had about sending *Massey* with a party of Horse into *Lancashire*, where a party of *English* were designed to have risen for his Majesty, and to have been seconded by most parts of the Kingdom, especially by *London*, where the plot was principally contrived and promoted: But before it could be brought to any perfection, was by the intercepting of some Letters taken in a Ship, forced by foul weather into *Aire* in *Scotland*, but bound to the Isle of *Man* with provisions, as likewise by the seizing of *Mr. Brickhead* a chief Agent in the business, betrayed, and the chief Actors secured by the Juncto at *Westminster*; who were *Mr. Thomas Cook* of *Grays-Inn*, *Mr. Love*, *Mr. Jenkins*, *Dr. Drake*, *Mr. Gibbons*, *Mr. Jaquell*, and several other Presbyterian Ministers, (who once were as absolute enemies to the Cause they now endeavoured to promote as the Juncto of Commons themselves) who were most of them tried before a High Court of Justice for their lives, but only two, to wit, *Mr. Love* and *Mr. Gibbons* suffered.

Yet notwithstanding the discovery of this design of rising for his Majesties Interest in *England*, and consequently the prevention of it, yet had the King a great desire if possibly he could to give *Cromwell* the slip, and march with his Army into *England*, where he yet doubted not but he should find friends to joyn with him. Nor was it long ere *Cromwell* gave his Majesty a most fit opportunity to pursue this resolution; for finding that he could neither draw nor provoke the Royal Army to a battell, he on a sudden draws off his Forces, and with a great celerity lends over a party of about twelve hundred Foot, and four Troops of Horse, under *Col. Overton*, who with little loss land at *Queens Ferry* on the other side *Fife*, and entrench, whilst *Cromwell* with his whole Army faces the Royalists, resolving to have fallen upon their Rear should they have advanced that way, or endeavoured to disturb his enterprise: But they only sent over four thousand Horse and Foot, under the command of *Sir John Brown*, to beat out those *English* out of *Fife*; but *Cromwell* having timely notice of the design, sent over *Lambert* with two Regiments of Foot and two of Horse, who joyning Forces with *Overton*, engaged *Brown*, and utterly routed him, took himself, *Col. Buchanan* and fourteen hundred more taken prisoners; and by this and the taking *Brunt-Island* and *Inchgiray* Castle, a firm footing in *Fife* was gained; whither *Cromwell* transported his Army, and marching directly to *St. Johnston*, takes it by surrender, whereupon what before was by the King and some of his party thought convenient, was now adjudged absolutely necessary, viz. To march into *England*, therefore no sooner came the advice of *St. Johnstons* surrender, but the King immediately raised his Camp from *Torwood*, steering his course directly for *England*; which *Cromwell* having advice of, with all speed retransports

The Civill Warres

1651.

transports the greatest part of his men over the *Firth*, and immediately dispatches away *Lambert* with a considerable party of Horse to fall upon the Kings Rear and retard his March, and he himself with eight thousand Horse and Foot sets forth from *Leith* the same day that the King entered *England* by way of *Carlisle*. In the front of the Kings Army lay Major General *Harrison* with three thousand Horse and Dragoons, to whom *Lambert* joyned, unto whom comes likewise two thousand of the Countrey Militia out of *Stafford-shire*, and four thousand under the command of Col. *Birch* out of *Lancashire*, and *Cheshire*; so that his Majesty was now encompassed with two potent Armies, yet all that not thought enough, for the numerous Militia of the City of *London* was commanded out against him, and all the Countreys adjacent were forced to set out men & horse at their own charges, so that the whole force of *England* was raised against him, whilest his own Army of it self mouldred away; for before he was come so far as *Lancashire*, above five thousand *scots* had deserted the Army, so that by all calculations there was not then with his Majesty above ten or twelve thousand men. Nor did the Countrey come in to his Majesty so plentifully as was expected, for indeed they could not, being hindred by the Republique Forces which had over-spread the Countrey; so that all that way there came in none to the King but the Lord *Howard of Estrych* his Son (whom the King graciously received and Knighted) with about one hundred Horse, so that though some were very courageous, & there appeared indeed a general resolution throughout the Army, yet others were sensible of the little hopes they were in of successe, as appears by Duke *Hamiltons* Letter to Mr. *William Crofts*, to this effect:

We are now laughing (sayes he) *at the ridiculousnesse of our present state, we have quite Scotland being scarce able to maintain it, and now we grasp at all, and nothing but all will forsake us. or to lose all: I confesse, I cannot tell whether our hopes or fears are greatest, but we have one strong Argument, Despair, for we must now either stoutly fight or die. All the Rogues have lesius, I shall not say whether for fear or disloyalty, but all now with his Majesty are such as will not dispute his commands.*

This was Duke *Hamiltons* opinion of their condition, when advanced as far as *Perrith* in *Northumberland*, where his Majesty was in the head of his Army by an *Englishman*, whom he had created King at Arms, proclaimed King of *Scotland, England, France* and *Ireland*; as he was afterwards at every Market-town through which he passed. At *Warrington* he found the first opposition, where *Lambert* and *Harrison* endeavoured to stop his passage, but in vain; for after a sharp dispute, with losse on both sides, they were forced to retreat, and the Bridge gained: Whereabouts the Earl of *Derby* having leaved two hundred and fifty Foot, and sixty Horse in the Isle of *Man*, and landed them at *Wey-water* in *Lancashire*; had brought them to his Majesty, and returned into *Lancashire* to raise more, and had by his influence upon the Countrey gathered together a considerable number of about fifteen hundred Horse and Foot, but he endeavouring to hinder *Lilburn* (who was sent against him) from joyning with a Regiment of *Cromwells* sent to enforce him, set upon him near *Wigan* in *Lancashire*, but was by the assailed totally routed, the Lord *Widdrington*, Sir *Thomas Twissley*, Col. *Trollop*, Lieveknart Col. *Galliard*, with some others of good note, faithfull and loyal Subjects to his Majesty, were slain, Col. *Roscarrock* wounded, Sir *William Throckmorton*, Sir

Timothy

of Great Britain and Ireland,

347

Timothy Featherston-haugh, Col. *Buines* and many others taken Prisoners, the Earl of *Derby* himself elcaped for the present, with a few men, whom he conducted to the King to *Worcester*. The King in the mean keeping on his march, and in his way invited *Sir Thomas Middleton* to return to his Allegiance, and by a Trumpet a formal Letter and Summons was sent by his Majesty to Colonel *Maskworth* Governour of *Shrewsbury*, the Letter was to this effect:

1651.

“ That his Majesty therewith having sent him a Summons to render into his hands his Town with the Castle of *Shrewsbury*, he could not perswade himself but he would do it, when he considered him a Gentleman of an ancient Houle, and of very different Principles, as he had been informed, from those with whom his employment had at present ranked him. That if he should peaceably deliver them to his Majesty, he would not only pardon him what was past, and protect him and his in their persons, but reward so eminent and seasonable a testimony of their loyalty with future trust and favour, leaving it to himself to propose the particular, his Majesty being upon that condition ready to grant him anything he should reasonably desire, and to approve himself his friend.

This Letter accompanied a Summons to the said Collonel *Macworth* to this effect:

“ That his Majesty being desirous to attempt all fair wayes for the recovering his own, before he proceeded to force and extremity, and (where the controversy was with subjects) accounting that a double Victory which was obtained without effusion of blood, & where the hearts that of right belonged to him were gained as well as their strengths; his Majesty did thereby summon him to surrender his Town and Castle of *Shrewsbury*, as in duty and Allegiance by the Laws of God and the Land he was bound to do, thereby not only preventing the mischief which he might otherwise draw upon that place, but also opening the first door to peace and quietnesse, and the enjoyment of every one both King and people, that which pertained to them, under certain and known Laws, the end for which his Majesty was come.

But to this gracious Letter and Summons of his Majesties, Collonel *Macworth*, not deigning any other Title then To the Commander in chief of the Scottish Army, returned answer to this purpose:

“ That by his Trumpet he had received two Papers, the one containing a Proposition, and the other a direct Summons for the Rendition of the Town and Castle of *Shrewsbury*, the custody whereof he had received by Authority of Parliament; That if he believed him a Gentleman (as he said he did) he might believe he would be faithfull to his trust; to the violation whereof, neither allurements should perswade him, nor threatnings of force (especially when but paper ones) compell him: That what principles he was judged to be of he knew not, but hoped they were such as should ever declare him honest, and no way differing therein (as he knew) from those engaged in the same employments with him, who should they desert the cause they were imbarqued in, he was resolved to be found unremoveably, The faithfull Servant of the Common-wealth of England.

His

The Civill Warres

His Majesty having received this flat denial knew it in vain to attempt so strong a place, where he was almost on every side encompassed with such potent Forces, and therefore kept his way on towards *Worcester*, whither on Fryday the 22 of *August* hee arrived, and easily by assistance of the Townsmen beat out the Republiques Souldiers: And was the next day by *Mr. Thomas Lifens* Major, and *Mr. James Bridges*, one of the Sheriffs of that City, solemnly proclaimed King of *Great Britain, France and Ireland*: and here (notwithstanding the advices of some who would have had his Majesty have marched up to *London*) it was relolved by reason the Souldiers were almost tired out with long marches, to stay and abide the brunt; hither on the 26 of *August* came in to his Majesties assistance *Francis* Lord *Talbot*, (now Earl of *Shrewsbury*) with about sixty Horse. *Mr. Merwin Touchet*, Sir *John Packington*, Sir *Walter Blount*, Sir *Ralph Clare*, *M. Ralph Sheldon* of *Brely*, *Mr. John Washburn* of *Witchinsford*, with forty Horse, *M. Thomas Hornmold* of *Blackmore Park* with forty Horse, *M. Thomas Aston*, *Mr. Robert Blount* of *Kenswick*, *Mr. Robert Wigmore* of *Ludlow*, *Mr. Walter Wash*, *Mr. Charles Wash*, *M. Francis Knotsford* & *Mr. Peter Blount*, with many others: yet notwithstanding this assistance, his Majesties Army both *English* and *Scots* was reputed not to amount to above 12000. to wit, two thousand *English*, and ten thousand *Scots*, nor were either party extraordinarily armed, or provided with Ammunition too plentifully, but on the contrary party was such a potent Army as *England* had not seen since the beginning of her late Civil Wars, and was reputed by many to amount to no lesse then Fifty or Sixty thousand, nor can it be guessed to be much lesse, considering the Militia of the City of *London*, and of above half the Counties in *England* were here amassed together in a body, and besides their numbers, this Army was excellently well Armed, and superfluously stored with Ammunition, and other necessities; so that taking all advantages together, it was twenty to one against the King; but both he and his Souldiers were relolved to bear it out. On the twenty eight of *August*, *Cromwel* came with his whole Army against the City, the first bickering happened at *Upton Bridge* passe, which Major General *Massy* had been left with a party to maintain, lying upon the *Severn* about seven miles below *Worcester*. This Major General *Lambert* attacked with a strong party of Horse, and after some dispute gained the Passe, and possessed the Church, whereupon the Major General *Massy* was forced to retreat, which he did very gallantly, himself still bringing up the Rear till he came to *Worcester*; *Cromwel* during this encounter advancing to *Stroughton*, and facing the City at four miles with a party of Horse, and the next day being the 29. of *August*, with a great Body of Horse and Foot on *Red-Hill*, within a mile of *Worcester*, but attempted nothing: his Majesty the next morning at a Council of War relolved to beat up the Enemies Quarters the night following with a select party of 1500. Horse and Foot, but the business was betrayed by one *Guyes* a Taylor in the Town for which he was deservedly hanged. The enemy still made their approaches higher, being on the one side of the Town come as far as *Powick Bridge*, where his Majesties Guards lay, at length the fatal thrid of *September* being come, the King that morning holding a Council of War on the top of the Colledge Church Steeple, the better to discover in what posture the Enemy lay, on a suddain observed some forcing at *Powick Bridge*, and *Cromwel* making a Bridge of Boats over the *Severn* towards the *Tame Mouth*, whereupon his Majesty commanded all to their Arms, going himself in Person to *Powick Bridge*, and there giving Orders as well for maintaining that

that Bridge, as for opposing the Bridge of boats which *Cromwell* was making; but after Major General *Montgomery* had stoutly defended the Bridge; he himself having received some wounds, was forced to retreat in a disorderly manner towards *Worcester*, and *Cromwell* in despite of all opposition, finished his Bridge over the *Tame* mouth, whereby he had communication with those over *Powick* Bridge; which done, himself went and planting a Battery against the Fort Royal on the south side of the City, took an advantageous post at *Perry Wood*, within a mile of the City; where he was by special order of his Majesty charged by Duke *Hamilton* with his own Troop of Horse, and some *English* Gentlemen Volunteers, and by Sir *Alexander Forbes* with his Regiment of Foot; who after a hot dispute forced him to retreat, and had once possessed his great Guns: but wearied with the continual assaults of fresh men, and fighting ar so great a disadvantage against the Enemies numbers of Horse, whilst *David Lesly* either through Treachery or Cowardize came not out with the body of his Majesties Cavalry to their Assistance; the Army was at length forced to Retreat in some disorder into *Sudbury-gate*, with the losse of Duke *Hamilton* and Sir *John Douglas*, who though they fell not on the place, yet had their deaths wounds there, of which they not long after dyed. Sir *Alexander Forbes* being likewise shot through both the calves of the Legs, fell in the Woods, and was the next day brought prisoner into *Worcester*, in the retreat a Cart laden with Ammunition being overthrown in the gate, his Majesty was fain to alight and enter the Town on Foot: The next piece of Service the Enemy had to perform, was the storming of the Fort Royal, which though not altogether fortified, yet made a very gallant resistance, no lesse then twelve hundred of the *Cheshire* Regiments being reported to have fallen under it, yet it being impossible for those wearied men to stand out against the numerous fresh bodies that were powred in upon them, it was at length taken by storm, and all in it put to the Sword, his Majesty in the mean time having put off his Armour, because troublesome, and taking a fresh Horse, began again to encourage his Souldiers with the justnesse of the Cause they fought for, desiring them to stand to their Arms, but finding he could not prevail, at length told them, that he would rather they shuld shoot him then keep him alive to see the sad consequences of that fatal day, but all could not induce the to venture the other brush, the Enemies having in the mean possessed themselves of St. Johns, & entered the Town in several places, all appeared clearly lost, & his Majesty had undoubtedly been taken in the Town, had not the Earl of *Cleveland*, Sir *James Hamilton*, Colonel *Wogan*, Colonel *Carlis*, Captain *Hornbold*, Captain *Giffard*, Captain *Ashley*, Captain *Kemble*, and severall other gallant persons rallied what force they could, & made a gallant opposition in *Sudbury street*, (where Sir *James Hamilton* and Captain *Kemble* were desperately wounded, and many of *Norfolks*) and thereby secured his Majesties march with his body of Horse out of St. Martins where when he was got out, before he had marched half a mile, he made several stands, facing about, and desiring the Duke of *Buckingham*, and the Lord *Wilmot*, that they might once more rally and try the Fortune of War, but at *Barebone* bridge, where serious consultation was had, many of the Troopers being perceived to throw off their Arms and shif for themselves, the result was, that all was irrecoverably lost, and that therefore his Majesty should endeavour to save himself; whereupon it was resolved to march directly for *Scotland*, and one *Walker* in the Lord *Talbots* Troop was appointed guide, but he in the night missed his way, whilst General *Lesly* in the Evening with the

great ft.

The Civill Warres

greatest body of Horse had taken the direct way by *Newport* towards *Scotland*, but the Country people in the way rising against him his body was disperſed, and moſt of them knockt on Head or taken Priſoners as for the Foot in the Town, they were all ſlain or taken, beſides ſeveral perſons of quality who were there made a prey to their enemies, ſuch were Duke *Hamilton*, who dyed ſew dayes aſer of his wounds, the Earl of *Carnarvon*, the Earl of *Kelly*, the Lord *Sinclare*, Sir *John Packington*, Major General *Montgomery* Major General *Pitcott*, Mr. *Richard Penſhaw* the Kings Secretary beſide ſeveral other Officers of Note.

CHAP. XCVI.

*The Miraculous eſcape of King Charles the Second from the Fight of Worcester.
The Death of the Earl of Derby, &c.*

WE cannot eſteem it leſſe then a Miracle, and therefore worthy a particular relation, that notwithstanding the great and ſtrict ſearch made for his Maſteſty, the ſeverall parties ſent out to that purpoſe, the whole Country up as it were againſt him, and ſeveral perſons making it their buſineſſe, out of hopes to gain the thouſand pound promiſed by the Juncto of Commons to whomſoever ſhould diſcover where hee was, yet his Maſteſty ſhould by a ſtrange Divine Providence be preſerved from the hands of thoſe who ſo violently thirſted after his blood; as if God, though hee were reſolved to ſcourge and afflict this miſerable Nation with bondage and ſlavery, yet would keep their hope alive, and give them reſreſhment in their ſervitude by the Expectation of the Reſtauration of their King to his Rights, and them to their Freedom; which he gave them viſibly to believe by his now miraculous preſervation of him, and that by thoſe hands whoſe poverty ſome would have thought ſhould rather have induced them to betray him. We ſhall in the relation avoid all tediousneſſe, and be as brief and concise as poſſibly we can, and as ſuch a relation will afford. His Maſteſty after his marching out of *Worceſter*, being left only attended by the Duke of *Buckingham*, the Earl of *Derby*, the Earl of *Lauderdale*, the Lord *Talbot*, the Lord *Wilmot*, Colonel *Thomas Blague*, Colonel *Edward Raſcarrock*, Mr. *Marmaduke Darcy*, Mr. *Richard*, Mr. *Hugh May*, Mr. *William Armorer*, (ſince Knighted) Mr. *Charles Gifford*, and Mr. *Peter Street*, and ſome other Gentlemen, in all about fixty Horſe, (for *Leſly* with the Body had taken another way towards *Scotland*) was by one *VWalker* (as I have ſaid before) one of the Lord *Talbot*'s Troop; and formerly by reaſon of his being a Scout-maſter pretty well acquainted with the Countrey, undertaken to be guided towards *Scotland*, whither he had firſt deſigned to march: but being come to *Kumer-Heath* nere *Kedermiſter*, *VWalker* was to ſeek in the way, the night being extreme dark, whereupon his Maſteſty made a ſtand, and began to conſult with the Duke of *Buckingham*, the Earl of *Derby*, the Lord *Wilmot*, and the reſt, which way they ſhould take; or at leaſt whither he might march to take ſome few hours reſt, the laſt dayes travail having ſufficiently wearyed both his Maſteſty and the reſt that attended him: whereupon the Earl of *Derby* acquainted his Maſteſty, that in his flight from *VVigam* to *VWorceſter*, he had met with a poor, but loyal ſubject of his Maſteſties, who was Keeper of *Boſcobell Houſe*, where he found not only fidelity in the perſon, but conveniency of concealment in the place, and doubted not but his Maſteſtie might have the like: whereupon it was reſolved to go directly thither

thither; and in regard *Walker* was somewhat puzzled in the way, *Mr. Charles Giffard* was desired to undertake to be their guide; which assisted by one *Yates*, a servant of his very expert in the Country, he readily yielded to, and so by Thursday before break of day, brought his Majesty to *Whiteladies* (formerly a Monastery of Cistercian Nuns, and now a house belonging to the *Giffards*, about half a mile below *Boscobell*, whither his Majesty was by *Mr. Giffard* persuaded first to go) where the door was immediately opened by *George Penderell*, a servant in the house: and the King and his company being alighted, and come into the Hall, Messengers were immediately dispatched to *Rich. Penderell* at *Hobbal Grange*, and to *William Penderell* at *Boscobell*, who both immediately came, and *Richard* was again dispatched for a suit of his cloathes; which being returned with, his Majesty divested himself of his Princely Ornaments; and rubbing his hands and face on the chimney for disguise, put on *Richards* cloathes, which were a green *Kendall* suit, and a leather doublet, his shirt being borrowed in the house, and his hair cut round with a knife by the *Lord Wilmot*, for his further disguise. Thus was he by *Richard Penderell* led out of the back-door into the *Spring Coppice*, about half a mile distant from *Whiteladies*; and the company having given the brothers a strict charge of the King, departed; only the *Lord Wilmot* who stayed behinde, and taking *John Penderell*, one of the brothers for his guide, was by him conveyed, though with some danger, to *Mr. Whittgraves* of *Moseley*, and afterwards to Colonel *Lanes* at *Bentley*, where he had the happiness to find that opportunity of conveying his Majesty to *Bristol*, as servant to *Mrs Lane Lane*, which he once had thought to have accepted, himself having sent to *Boscobell*, and had advice from thence that his Majesty was departed; and so indeed he had been for one night, conducted by *Richard Penderell*, to one *Mr. Vols* at *Madley*, an honest subject, of *Richards* acquaintance, with intention to have passed from thence over the *Severn*, within a mile of which it lay, into *Wales*: but being there advertized of the strictness of the Guards upon the *Severn*, it was thought not convenient to attempt so great a hazard: so the next night after they returned to *Boscobell*, where they found Colonel *William Carles*, (whose name his Majesty hath since changed into *Carle's*, and given him a coat of Armes suitable to his fidelity (who having seen the last man slain at *Worcester*, had with great difficulty escaped, and was now fled thither to seek for shelter; where being informed of *Richard Penderell* of his Majesties being nigh, (for he had left him in the Wood) over-joyed that he was in such a place of safety, went immediately with *Richard* and *William* to him, whom they found sitting at the foot of a tree, and accompanied back again to the house; where having taken some refreshment, the Colonel not thinking it in the day time, which now drew on, so secure as the Wood, they returning, and being clambered up a thick leavy Oak, his Majesty wearied with his two preceeding nights travail, being provided of a cushion by *Richard*, and resting his head vpon Colonel *Carles*, took some disorderly rest; but so uneasy, that his Majesty being that evening at his return to the house, showed the secret place where the Earl of *Darby* was concealed, resolved rather to rely upon that for his safety, then go any more to the Wood, where he could scarce sit at ease.

Thus was his Majesty and Colonel *Carles* secured by the faithful care of these five Brothers, *William*, *John*, *Richard*, *Humphrey*, and *George Penderills*, and *Francis Yates* their Brother in law, who being poor men, it would have been judged that hopes of gain might have tempted them to have betrayed him: but they were so far from that,

that

The Civill Warres

1651.

that when *Humphrey* went one day to *Shesnel* to pay some Taxes to one Captain *Broadway*, a Parliament Colonel chancing to be there, and having had some intelligence of the Kings having been at *Whiteladies*, and that *Humphrey* was a nere neighbour to that place, examined him very strictly concerning the King; both laying before him the assurance of the punishment, if he should have any hand in the concealing him, and the certainty of the reward should he disclose him, which was a thousand pounds certain: but he neither moved with threats nor allurements, pretended ignorance, and so was dismissed. Nor was it less wonder, that women who are so ill keepers of secrets, should be so private in this, no less than three, to wit, Good-wife *Tates*, old Good-wife *Penderill*, and *William Penderills* wife; being acquainted with the Kings being there, and almost daily seeing him. But we must attribute his Majesties preservation, and their silence, only to divine Providence.

But to proceed to the further part of his Majesties escape, he having some dayes been concealed here, during which time *Whiteladies*, upon information of the Kings having been there, was several times searched, but this never: His Majesty was at length informed that the Lord *Wilnot* was at *Mosely*, at Mr. *Whitegraves*, sent *Iohn Penderill*, who had conducted *Wilnot* thither, to acquaint him of his Majesties resolution to come thither that night; but *Iohn* found him to be removed from thence to *Bentley-hall*, Colonel *Lanes* house, with intention, as her servant, to have gone to *Bristol*, she having procured a pass from a Parliament Colonel to go visit her sister then near her time of lying in: hither therefore *Iohn* accompanied with one Mr. *Huddleston*, a sojourner at Mr. *Whitegraves*, goes, and having admittance to the Lord *Wilnot*, acquaints him with the Kings resolution, who thereupon suspends Mrs. *Lanes* journey, and resolves that night to meet the King at Mr. *Whitegraves*, which accordingly he did: His Majesty being conducted thither by the five Brothers and *Francis Tate*, taking his leave of Colonel *Carlo's*, whose being known in the Country, might have prejudiced his safety. Being arrived here, his Majesty was secured in a very private place, till such time as all things were got in a readines for undertaking that Journey, as servant to Mrs. *Lane*; which being accomplished, mounted before her in his livery, he took the Road towards *Bristol*. Many accidents happened in this Journey, amongst which was the meeting a Troop of Horse just drawn up in the entrance into a Town, as if on purpose to stop their passage, which caused some fear at first, but it was soon over, the Captain commanding to open to the right and left, and permitting them to pass: Yet being arrived at *Bristol*, were not his Majesties troubles ended, for it was not possible here to provide him a passage beyond the Seas, nor in any other Port in the West, many of which he attempted, till at length being conducted from place to place by many of his faithful and loyal subjects, about the later end of *October*, he found a small Barque at *Brighthelmston* in *Suffex*, the Master of which easily consented to transport him, and landed him safely at a Creek in *Normandy*, from whence he went to *Rouen*, and was thence conducted to *Paris*, to the great joy of all his friends there, and all his loyal subjects in *England*. But though it thus pleased God to redeem his Majesty out of the jaws of his enemies; yet many of his good subjects, and particularly those who were left in that their hoped security at *Whiteladies*, fell into the Tygers hands; for no sooner were they got into the Road, with hopes either to meet or overtake General *Lesly* with the main body of Horse, but they were overtaken by the Lord *Levisston* (who commanded the Kings Life Guard) and he pursued by a party of the enemy,

1651.

enemy; whereupon joyning with him, they faced about, and forced them to retreat; but they were not come far beyond *Newport*, but they were met with in the front by Colonel *Lilburne*, whilst still they were pursued by parties in the Rear, so that now their Horses and themselves being quite tired out, these became a prey to their enemies, to wit, the Earl of *Derby*, the Earl of *Lauderdale*, Mr. *Charles Giffard*, who were first sent prisoners to *Whitchurch*, and after to an inn in *Banbury*, whence Mr. *Giffard* escaped: soon after these were likewise taken the Earls of *Cleveland*, *Shrewsbury*, and the Lord *Wentworth*, together with many other persons of quality. But the Duke of *Buckingham*, the Lord *Levison*, Colonel *Blague*, Mr. *Marmaduke Darcy*, and Mr. *Hugh May*, forsaking the Road escaped into *Chessardine Woods*; and from thence, after several hardships endured, beyond the seas. The Earl of *Derby* being after conveyed to *Westchester*, was there tried by a Council of War (where Colonel *Mackworth* late as President) and condemned him to death by virtue of an Act of the 12. of *August*, made by the Juncto of Commons, Declaring that what person soever should presume to hold any correspondence with *Charles Stuart* (for that was the best title they could afford the King) or with any of his party, or should give any intelligence to them, or countenance, encourage, adhere to, abet, or assist any of them, or voluntarily afford or cause to be afforded or delivered to any of them, any victuals, provision, ammunition, arms, horseplate, money or men, or any other relief whatsoever, should be deemed guilty of High Treason. Nor could the Earls plea, that he had Quarter given him by Captain *Edge* who took him prisoner, procure him Justice; but according to the Sentence which that Court had pronounced against him, he was on the fifteenth of *October* beheaded at *Dolton in Lancashire*, to the great grief of the people of that Countrey, which some of them paid for expressing too heartily, being cut and flashed for it by the Troopers: shortly after him was Sir *Timothy Fertherstonchaugh*, who was taken at *Wiggon*; likewise executed: the Lord *Lauderdale*, *Wentworth*, and others, were committed to several prisons, where they a long time abode. Major General *Massey*, who though he escaped the foil, yet being extremely wounded, was forced to surrender himself to the Countess of *Stamford*, and in her to the Lord *Grey of Groby* her son; by whom he was after the recovery of his wounds, sent up to the Parliament, and imprisoned in the Tower, yet he nor long after escaped thence into *Holland*.

CHAP. XCVII.

The Success of Colonel Monck in Scotland. The Isles of Jersey, Guernsey, Man, and Silly taken: The Western Plantations Reduced.

Cromwell at his marching out of Scotland after the Kings Army, left as himself deemed sufficient force to reduce the rest of Scotland, nor proved it otherwise then according to his suppositions, for no sooner was Cromwell passed the Firth after the Royal Forces, but General Monck, to whom in his absence he had left the command of the Army there, advanced towards *Stirling*, which though strongly Fortified was soon after surrendered unto him together with the Castle, with all the warlike provision in it, which was a very great quantity of Ammunition, five thousand Arms, forty pieces of Ordnance, together with all the Records of Scotland, the Chair and Cloth of State, the Earl of *Marres* Parliament Robes, Coronet and Stirrups of Gold. Thus that Castle

Yy

which

1651.

which by King James his Motto written upon the Chappel door of it in these words, (*F. C. R. Hac nobis inuicta tulerunt Centum sex proavi*) had in his time remained unconquered during the Reign of one hundred and six Kings, was now in his Grandchilds time yielded to the *English*. This strong Town being taken and Engarrisoned, and thereby a free passage gained over into the *Fife*, General *Monck* marched from thence to *Dundee*, which was strongly Engarrisoned under the command of Major General *Lumsdale*; but scarce was General *Monck* well seated before the Town, when he understood that General *Leven*, together with the Earls of *Crawford* and *Lindsey*, Lord *Ogilby* and *Leith*, together with divers other *Scots* Lords, Gentlemen and Ministers, were assembled at *Eccit* in the County of *Perth*, there to consult about the Levying of another Army for the service of his Majesty, designing first to raise the Siege of *Dundee*. To prevent therefore any progress in their determination, General *Monck* commands Colonel *Allured*, with six hundred Horse and four Troops of Dragoons to march towards them, and if possible to surprize them, which he easily effected, killing many of them, and taking old *Leven*, the Earl Marshal, the Earl of *Crawford*, the Lords *Leith*, *Ogilby*, *Bargainy*, *Humly*, *Lee*, with many other Knights and Gentlemen, who were soon after sent by shipping to *London*. To this Victorie likewise succeeded another over Major General Sir *Philip Musgrave* in *Galloway*, who being made Commander of all Forces to be raised for the King in the four Northern Counties, had gathered together about five hundred men, which a party of the Enemies Horse and Dragoons fell upon, routed and took Sir *Philip* with some other persons of quality prisoners. Yet would not these two Victories work upon Major General *Lumsdale* to surrender *Dundee*, but in stead of returning a compliant Answer to General *Moncks* Summons, requiring him in his Majesties name, together with all Officers, Souldiers and Ships, that were at that present time in Arms against the Kings Authority, to come in and joyn with his Majesties forces in that Kingdom, and to conform and give obedience to the Kings Declaration therewith sent them. But instead of returning answer to this, General *Monck* soon after resolved upon a general storm; which took effect, the Town being entred and possessed, and the Governour with several others of quality slain. This wrought good effects on the Common-wealth of *Englands* side; for soon after, not only *St. Andrews* and *Aberdene*, but most of the strong places in the Kingdom were surrendered to their Forces; so that they seemed here to have made an absolute Conquest.

In the mean time in *England* the complaints of the Merchants, made the Juncto of Commons think of their reducing to obedience, the Islands of *Jersey*, *Guernsey*, *Silly* and *Man*, which places still remained under his Majesties command, and from whence his Frigats infested the *English* coasts: *Guernsey* Island they had long since landed a party upon, who had reduced the whole Island except a strong Fort called *Cornet Castle*, which still held out, and might have done till Doomsday (for there was no attempting to storm it) had they still supplies of provision, and though now at the surrendring of it they had provisions with which they might for several months longer have held out, yet it was thought far better policy, where there was no hopes of relief, to accept of the fair conditions then offered by the Enemy, then by reducing themselves to the utmost straits, be necessitated to take such conditions as would then be offered by an insulting Foe; so about the latter end of *October* it was surrendered upon very good Articles. To *Jersey* Island Col. *Hynes* with two Regiments of Foot, and four Troops of Horse

Horfe, fet fail out of *Weymouth* about the middle of *October*, and by a fair gale arrived at the *Iſland*, where though he found ſome oppoſition at landing, yet was it inconſiderable, for he ſoon got firm footings, took *Montir*, *Orgniele*, and all other Forts in the *Iſland*, ſave only *Elizabeths Caſtle*, which held out till *December*, and was then upon good Articles ſurrendered by *Sir George Carteret* Governour for the King. The *ſcillies* which were the chief Harbour for the Kings men of War, had ſome time before been taken by a part of the Parliaments Fleet, the ſtrong Caſtle upon the *Iſland* of *St. Maries* being ſurrendered likewiſe upon Articles: And the ſame ſucceſſe had *Coll. Duckenfield* in taking of *Peele* and *Ruſſen* Caſtles in the *Iſland* of *Man*, which were ſome time likewiſe held out by the Counteſſe of *Derby*, but likewiſe ſurrendered upon conditions, without loſſe of any blood.

Nor was the Republicques ſucceſs leſs in *Ireland*, where (though this year they loſt a Commander of theirs, *Ireton* their Lord Deputy of that Member of their Commonwealth, as they likewiſe did *Collonel Popham*, one of their Sea Generalls) there was nothing now to oppoſe them, ſave only ſome Tories which ſkulked in the Woods, and were daily brought in and executed; ſo that their Republique began to flouriſh, and to be courted by the neighbouring Kingdoms, the King of *Spain* firſt treating with them by Ambaſſadours, and at length concluding a peace; the King of *Portugal* likewiſe following his example. Beſides, their own Ambaſſadours began to have ſome greater reſpect abroad then they had at firſt, when *Dr. Doriſlaus* their Agent to the States of *Holland*, was murdered at the *Hague*; and *Mr. Aſcham* their Agent to the Catholique King at *Madrid*, for they now indeed began to grow formidable. But whileſt I am ſpeaking of Ambaſſadours, let me remember *Sir Henry Hide*, who being ſent by his Maſteſty as his Ambaſſadour to *Conſtantinople* (as ſeveral other perſons were to other Chriſtian Princes) was by *Sir Thomas Bendish* Lieger there for the Republique, ſent over into *England*, where he was by a High Court of Juſtice tried for his life, and beheaded before the *Royal Exchange* in *London*, only for having received commiſſion from his Sovereign: But we were fallen under dayes and times when there could be no greater crime then loyalty, as appeared likewiſe this year by *Captain Brown Buſhell*, who for having ſerved his Maſteſty, was on the 25. of *April* beheaded under the Scaffold on *Tower-hill*.

To end this year, came home *Sir George Aſſcue* with his Fleet, reporting the ſubmiſſion of the Weſtern Plantations to the Commonwealth of *England*, ſo that there power increaſed every where; nor did their endeavours want both to ſtrengthen and ſettle themſelves in their new Uſurped Government, by baniſhing *John Lilburn*, a perſon whom they had long imprifoned and brought to a triall for his life, for writing ſeveral Books ſetting forth their Tyrannies, Treacheries, Villannies, Uſurpations and Murders and clearly demonſtrating them by all the Laws of the Land to be Traytors and murderers, but no Jury being found to condemn him, though there were Judges for the purpoſe, they reſolving to be rid of him ſent him into baniſhment: And then the better to ſettle and compoſe the minds of the people, and endeavour if they could to bury all animosities between them and the Kings Party, an Act of Indempnity for all things done in the late Wars, and before the third of *September* 1651. was paſſed

The Civill Warres

CHAP. XCVIII.

The War between the States of England and Holland.

Common-wealths have generally been observed to be most troublesome to their Neighbours, and still to make good that observation, no sooner had these Grantees of the Commons and Army in *England* sealed in themselves the power over these three Nations, under the stile and title of a Common-wealth, but that very Name incites them to a War with their Neighbour States the *Hollanders*: yet such is their Piety, that they must make as large pretences for a forraign War, as they had done for an intestine Rebellion. True it is, that that Act which they made, prohibiting the *Hollanders* to traffique with us, but only in their own Native Commodities, was very beneficial to the *English* traffique, yet not so much as it was prejudicial to the *Hollanders*, whose numerous shipping were many of them by that means destitute of employment, & they thereby provoked as it was at first designed to a War with us, yet endeavoured they by all means possible to have that Act in some strict clauses moderated, but to no effect: And therefore they who knew themselves the Ancientest Common-wealth, were resolved not to vail to *England* which had but the other day been constituted so; and thus began the first brush between these two Republicques, accounted more potent at Sea then all the World besides. In the beginning of May 1652. *Van Trump* Admirall of the *Dutch* Fleet was discovered on the back side of the *Goodwin* sands, bearing towards *Dover* Road, with about forty two sail of men of War: Whereupon Major *Bourn* who commanded a Squadron of the Parliaments Ships, lying then in the *Downs*, gave order to the *Gray-hound* *Fregat* to make out and speak with them, who gave her an account that the Northerly winds having blown hard several dayes they were forced farther to the southward then they intended, and having rode some dayes off *Dunkirk* had lost several Anchors and Cables, but professing that by coming to neer their Coasts they intended no harm to the *English* Nation: Notwithstanding which account, General *Blake* being then with the greatest part of the Fleet to the Westward, and having received advice of them from Major *Bourn*, made all the haste he could towards them, and on the 19. of May views them at Anchor at *Dover* Road, and they upon sight of him weighed, and stood out to the Eastward, where they met with an Expreffe from the States of *Holland*, which it was suspected, brought them Orders to fight, for immediately they tacked about, and bore directly with General *Blake*. *Van Trump* himself being in the Head of the Fleet, and refusing to strike his Flag, whereupon Generall *Blake* fired three Guns, but without Balls at it; which *Van Trump* to expresse his disdain of, fired one from his Poop and immediately hanging out a red Flag of defiance, gave General *Blake* a broad side, which was by him immediately answered with another, whereupon the fight began very hot on both sides and continued so till night parted them, so that it continued about four hours, to the cost of the *Dutch*, who had one Ship sunk, and another taken, with the Captains of both, and about one hundred and fifty men taken Prisoners; whereas the losse on the *English* side was reported to be but ten men slain, and forty wounded, beside some Ships, & especially the Admirall extremely damaged in their Masts and Rigging. But whether the *Hollanders* by this first encounter forebode what ill successe they were like to have by a War with *England*, or whether they hoped that having now (though to their losse) tried their force, they would incline to peace, and repeal or at least moderate their

their Act before mentioned, sent over two Ambassadors extraordinary, to meditate with the States of England, and to excuse their late encounter, who declared.

1652.

That the unhappy fight between the Fleets of the two Common-wealths happened without their knowledge, and contrary to the will and desire of the Lords the States General of the *United Provinces*, taking God to witness, that the affections of those States had always been sincere to the Common-wealth of *England*. That with astonishment and amazement they had received the fatal tydings of so rash an attempt and action, and that immediately they entred into consultation how they might best find a remedy to soften and excuse this fresh bleeding wound: That to that purpose they had convoked a Generall Assembly of the *Provinces*, by which means they doubted not, God willing, to meet with a present remedy to these troubles, whereby not only the causes of all the evils which might entue should be removed, but also by an interior comfort mens minds be rectified, and brought to a better hope of the Treaty on foot, wherein their Lordships laboured daily and in good earnest for the welfare of both Nations, to avoid the further effusion of Christian blood, so much desired by the Enemies of both States. Wherefore they requested and desired most humbly by the pledges of Liberty, and their mutuall concurrence in Religion, that nothing might be undertaken with too much precipitation and heat, which might at length become irrevocable, and not to be remedied by vain wishes or too late Vows, but that without delay they might receive a favourable answer, which they the more earnestly desired, since that ours and their States Ships and Mariners were detained and impeded in their Voyages, some by force, and others by the fights at Sea, and the rest in the Ports of this Common-wealth.

To which the Juncto of Commons returned Answer :

That whereas they remembred with what continual demonstrations of friendship they alwayes comported themselves towards their Neighbours of the *United Provinces* ever since the beginning of their Civil Warres, having not omitted any thing which might tend to the preservation of a good understanding betwixt them, they thought it very strange to find how ill the said States had answered their civility, and especially by the Act of hostility which they had lately exercised against this Common-wealths Fleet. That having taken the whole into their considerations, as well as the several Papers presented to the Council of State for their Ambassadors.

They did thereunto answer,

That as they were ready to give a favourable interpretation to the expressions contained in the said Papers tending to represent how that the fight which lately happened, was without the knowledge, and contrary to the intentions of their Masters; so likewise when they considered how in conformable and inconsistent with those thoughts and discourses the proceedings of their State, and the behaviour of their Sea-men had been in the very midst of a Treaty, and in what manner the said particulars had been negotiated here by their Ambassadors: Their extraordinary preparations of one hundred and fifty Ships, without any apparant necessity, and the Instructions which were by the said Lords States given to the Sea-men, they had but too great cause to believe that the Lords the States Generals of the *United Provinces* had a design to usurp the known right which

the

The Civill Warres

the *English* have to the Seas, to destroy their Fleets, which after God are their walls and bulwarks, and thereby to expole their Common-wealth to an Invasion, according to their own good liking. Whereupon the Parliament did think themselves to be obliged to endeavour, by Gods assistance as they should find occasion for the same, to seek reparation of those wrongs which they had already received, and an assurance for the future against the like, which might be attempted against them: However, with a desire and intention that things might be composed and put up in an amicable way, if it were possible, they should willingly embrace such ways and means as God by his Providence should lay open, and such circumstances as might tend to hasten that design, as might render it more efficacious then any other of the like nature had yet been.

But this conference nor many succeeding could not produce any peaceable effects, but the Warre was proclaimed on both sides, and both sides prepared with all possible vigour to prosecute the War, General *Blake* immediately receiving command to sail to the Northward, & there make prize of such *Dutch* Vessels as he found fishing at that season of the year upon those Coasts. Neer the Isles of *Orkney* he finds the *Hollanders* at their trade, guarded by twelve men of War, which he takes, and brings up for Prize: To the Southward in the mean time lay sir *George Ashue* with another part of the Fleet, to guard and defend the *English* ships, and offend their now proclaimed Enemies the *Hollanders*, who plying up and down met with thirty sail of their Merchant men, between *Dover* and *Calice*, to whom he gave chase, constraining the greatest part of them to run on shore on the Coast of *France*; but ten sail of them he was too nimble for, who were either taken, sunk or fired: From thence sir *George* made sail to the Westward, where he had intelligence that the *Holland* Fleet hovered, and being come off *Plimouth*, he had notice that their Fleet was not far off, whereupon calling a Council of War, it was conceived they might be met with upon the Coast of *France*, and resolved with all possible speed to make sail thitherwards, which they did, and the same day being the sixteenth of *August*, discovered them, and with all the sail they could, made towards them, finding them to be sixty men of War and thirty Merchant-men. The *English* were but thirty eight men of War, Four Fire-ships, and four small Friggots, yet about four a Clock in the afternoon they engaged them gallantly, maintaining the Fight till night parted them, the *Hollanders* having two men of War and one Fire-ship sunk, the *English* extremely maimed in the Masts and Tackle, and one Captain killed and two wounded. The next morning the *Dutch* Fleet steered on their course, and the *English* being extremely maimed in their Tackle, finding them incapable to pursue them retreated into *Plimoth*. Whilest these things were acting Westerly, General *Blake* in the *Downs* made prize of six *Holland* Merchant-men, and six others were likewise taken by Vice-admiral *Penn*: Not indeed passed there a day in which either *French* or *Dutch* Prizes were taken (for the *French* King had not yet made peace with the new Common-wealth) and brought in. But the greatest damage done to the *French*, was the taking of their Fleets, which was carrying Provisions and Ammunition to the relief of *Dunkirk*, then besieged by the *Spainiards*, for he not only took seven of their ships, but likewise by obstrueting relief to the Town it was surrendered to the Enemy. But soon after on the 27. of *September*, happened another combate between the Fleets of the two Common-wealths, Generall *Blake* riding in the *Downs*, discovered sixty sail of *Dutch-men* of war under the command of Admiral *Dewis* on the backside the *Goodwin*, whereupon the next day he weighed and made re- ward

of Great Britain and Ireland.

359

1652.

wards them, but going forward, some of the Ships struck upon a Flat, called the *Kenish Knock*, under which the *Hollanders* had purposely sheltered themselves, whereupon they bore round and made directly towards the Enemy, who declining an encounter, all that day past in light skirmish, and in the night the *Hollanders* changed their Station, and moved about two Leagues to the Northward, which the *English* the next morning perceiving, though they had but little wind, and that very various, endeavoured to get up to them, but the Wind being North-Westerly they could not reach them; however some of the best sailing Frigots were commanded to make up to them, and keep them in play while the rest got up, yet it was three of the clock in the afternoon before these Frigots could arrive to them: when the *Hollanders* fearing lest they should be forced to a general Engagement, made what Sail they could to their own Coasts, yet ten of the swiftest Frigots gave them chase till ten a clock at night, and the next morning the whole Fleet having a fair gale pursued them as far as *West-Cappel* in *Zeland*, where calling a Council of War, it was judged unfitting to pursue them any farther because of the Flats.

The *Hollanders* visible loss in this encounter was the utter disabling of their Rear-Admiral, which the *English* had possessed themselves of, but finding by reason of her leaks that she could not be brought off, they took out what men were left alive, leaving the Ship to be the dead mens grave. Some other ships they had maimed in their Rigging; the *English* had forty men slain, and many wounded. But while the *English* were thus successfull in these Seas near home, the *Hollanders* had a notable success against them in the *Levant*, where they took the *Phoenix* a brave *English* Frigot in the first encounter, and afterwards they took, burnt and sunk some Merchant-men with the *Bonadventure* and *Leper* Frigots, who coming out of *Legorne* Road somewhat before Captain *Bodillo*, who was with a Squadron of twelve ships to have joyned with them, could come up, were all lost, except the *Mary* a Merchant-man.

During these hot encounters between the *English* and the *Dutch*, an Ambassador from *Denmark* came into *England*, to mediate a peace between the two States, but returning without effect, it chanced that the *Hollanders* having stopp'd up the passage of the *Sound* with a Squadron of ships, some twenty *English* Merchant-men laden with Pitch, Flax, and other necessary *English* commodities, were forced to take protection in *Copenhagen*, whereupon a Fleet of *English* was sent to convoy them, but being come to *Elzenore*, they were at first capitulated with, and demanded, Wherefore the *Danish* Ambassador had not been admitted to hearing at his being in *England*? And why they came so boldly into the King of *Denmarks* Seas, and so near his place of Residence, and under one of his Castles with so strong a Fleet, without having first given notice three weeks before? But they having no commission to answer those Interrogatives, demanded the release of the Merchant-ships, which was positively denied them; so they returned, and in their way back the Admiral of the Squadron named the *Anelope*, a ship of fifty Guns, and commanded by one *Ball*, was cast away upon the Sands; but their loss of her was repaired by the taking in their further way twenty *Holland* Barques with a Man of War for their convoy, together with another ship of twenty Guns, at their return one Mr. *Bradshaw* was sent as Agent to demand those ships, but with no better success than before.

Soon after in *December* following happened another Sea-fight between the *English* and the *Dutch*, just before *Dover* Road; the *Dutch* were no less than ninety Sail, and the *English*

The Civill Warres

English but forty two, and these likewise but meanly manned, so that for want of men not above half the Fleet is said to have engaged; the fight yet continued from morning to evening, when the *Garland* a Frigate about forty Guns was clapt aboard by two *Dutch* men of War, and taken, and the *Bonadventure* a Merchant-man built, but a lusty ship, endeavouring to rescue her, ran the same fortune; and in great danger was the General himself in this Battel, having his Foremast shot close to the board, and his ship boarded, but at length he got clear off, and brought off likewise the rest of the Fleet: The *Hollanders* however got not this Victory over easily, for they had many of their ships disabled. But this losse made the *English* more vigilant, for present Orders were given for the Army, and many, out of a more potent Fleet, and for the better encouragement of such Officers, Seamen and Souldiers as should be employed in their service, It was Ordered that some muster should be advanced to put them in a better equipage to go to Sea, and to leave some subsistence to their Families during their abience; That for every ship which should be adjudged good prize they should have forty shillings per Tun, and six pounds for every Piece of Canon, Brasse or Iron, which should be found in the said ships, to be equally distributed according to their qualities. That they should have ten pounds for every Canon aboard of any ship which they should sink or fire. That who ever should inroll themselves within forty dayes, should as a gratuity receive a Moneths pay, not to be passed to account. That Hospitals should be erected at *Dover*, *Deal*, and *Sandwich* for such sick and wounded men as should be brought a-shoar; and that a stock should be fettered for their maintenance, as also for the subsistence of other sick and wounded men, who by reason of their diseases and wounds could not be brought to shoar, or were too far from the Hospitals.

These with divers other encouragements of the like nature brought in the Seamen flocking; so that notwithstanding the earnest endeavours of the *Hollanders* to prohibit the importing of any Pitch, Tar, Masts, or other materials for Navigation into *England*; a gallant Navy was bravely furnished out by the beginning of *February*, and before the middle of the moneth was many dayes past, were in action, for just between the *Isle of Wight* and *Portland* they met with the *Flemish* Fleet, consisting of eighty men of War, who were convoying one hundred and fifty Merchant-men from *Burdeaux*, *Nantz*, and *Roan*, General *Blake* with his own Squadron of ships first began the fight, the rest of the *English* Fleet being upon the Coast and not able to come up till two a clock in the afternoon, so that those few ships maintained the encounter with above thirty of the *Enemy* all that time; when the whole *English* Fleet coming up, they engaged the whole Navy of the *Hollanders* till night parted them: the *English* this day lost the *sampson*, a ship formerly taken from the *Dutch*, who having first sunk her *Enemy*, was after sunk herself by another, but her men were saved by the *English*. The next day they again assaulted the *Hollanders* more eagerly then the day before, till at last they not being able to endure their Force began to fly, leaving above fifty of their Merchant-men as a prey to the *English*. Towards Evening the *Hollanders* anchored upon the Coast of *France*, their ships being extremely shattered, and above two thousand of their dead bodies being reported to have been cast upon the Coast of *France*, and above fifteen hundred prisoners were by the *English* brought to *London*; in this encounter General *Blake* was hurt himself, having adventured very valiantly in the battel, which was fought on the eighteenth and nineteenth of *February*, but so sensible were the States of *Holland* and

West-

We
Eng
ter b
Tha
of th
the l
the t

T
Arm
Junc
to his
and t
clear
scrip
he en
ficers
the N
himse
for w
period
cordin
bers)
all the
could
fell.
the G
reasons

Tha
Ireland
by the
blood,
whereu
derfull
it was n
selves to
with the
should n
wealth,

of Great Britain and Ireland.

361

1653.

West-Feizland of this great losse, that they sent Letters to the Juncto of Commons in *England*, to endeavour to meditate a means to terminate these differences; but the Letter being subscribed only by the two aforementioned States, the Juncto returned answer, That they should be willing to embrace any way proposed to them by all the Lords States of the United Provinces to conclude these bloody differences in an amicable way. But the Negotiation produced no effect at all, for the Juncto's power was even then upon the termination, as in the next Chapter will appear.

CHAP. XCIX.

Cromwell dissolves the Long Parliament; takes upon him the Government of the Common-wealth.

THe success of *Cromwell* at the Battel of *Worcester*, had given him a vacation ever since from Military labours, & that time to juggle with the Under-Officers of his Army to advance his power; for though he had all this while played the *Rex*, and the Juncto of Commons acted only according to his Will and Dictates, yet it seemed not to him, that he shone so bright whilst he only acted Master under the title of a Servant, and therefore he resolves to take the power wholly into his own hands, that he might clearly appear what he then was in effect; to this purpose having got the consent and subscriptions of most of the Officers of the Army to it, on the twentieth of *April*, 1653. he enters the Parliament House at *Westminster*, accompanied with some principal Officers of the Army, and knowing that he likewise had the consent of the whole people of the Nation, (who were wearied with that Juncto's Tyrannies and Exactions, and whom himself had all that while by clandestine means, endeavoured to bring an *Odium* upon) for what he did, tells them briefly his reasons why he had resolved to dissolve and put a period to their power which he desired might with all speed be done, wherein he was accordingly obeyed (though with some reluctance and murmuring in some of the Members) the Speaker with the rest immediately leaving the House, to the great content of all the Nation, who then judged a worse slavery could not fall upon them, though they could expect little more liberty or freedom from those into whose hands the power now fell. But notwithstanding the general satisfaction of the people, it was thought fit by the General *Cromwell* and his Officers to publish a large Declaration, the grounds and reasons of their proceedings to this effect;

That after God had been pleased miraculously to appear for his people in reducing *Ireland* and *Scotland* to so great a degree of peace, and *England* to a perfect quiet, whereby the Parliament had had opportunity to give the people the harvest of all their labour, bloud, and treasure, and to settle a due liberty in reference to Civil and Spiritual things, whereunto they were obliged by their Duty, Engagements, and those great and wonderfull things God had wrought for them; That they had made so little progresse, that it was matter of much grief to the good people of the Land, who thereupon applied themselves to the Army, expecting redress by their means, who though unwilling to meddle with the Civil Authority agreed that such Officers as were Members of Parliament should move them to proceed vigorously in reforming what was amiss in the Common-wealth; and in setting it upon a foundation of Justice and Righteousness; which being

The Civill Warres

done, it was hoped the Parliament would have answered their expectations, but finding the contrary they renewed their desires by an humble Petition, in *August*, 1652. which produced no considerable effect, nor was any such progresse made therein as might imply their real intentions to accomplish what was petitioned for, but rather an avernesse to the things themselves, with much bitternesse and aversion to the people of God, and his Spirit acting in them: Insomuch that the godly party in the Army were rendred of no other use then to countenance the ends of a corrupt party for effecting their desires in perpetuating themselves in the Supreme Government. That for the obviating of these evils the Officers of the Army had obtained several meetings with some of the Parliament. to consider what remedy might be applied to prevent the same, but such endeavours proving ineffectual, it became evident, that the Parliament through the corruption of others, and the non-attendance of many would never answer those ends which God, his People and the whole Nation expected from them: But that this Cause which God had so greatly blessed must needs languish under their hands, and by degrees be lost, and the lives, liberties and comforts of his people be delivered into their Enemies hands: all which being sadly and seriously considered by the honest people of the Nation, as well as by the Army, it seemed a duty incumbent upon them, who had seen so much of the power and preface of God, to consider of some effectual means whereby to establish Righteousnesse and Peace in these Nations: And after much debate, it was judged necessary, That the Supreme Government should be by the Parliament devolved upon known persons, fearing God, and of approved Integrity, for a time as the most hopeful way to countenance all Gods people, reform the Law, and administer Justice impartially, hoping thereby the people might forget Monarchy, and understand their true Interest in the Election of Successive Parliaments, and so the Government might be setled upon a right Basis, without hazard to this glorious Cause, or necessitating to keep up Arms for defence of the same. That being still resolved to use all means possible to avoid extraordinary courses, they prevailed with about twenty Members of Parliament to give them a Conference, with whom they plainly debated the necessity and justnesse of their proposals, which found no acceptance, but that in stead thereof it was offered, that the way was to continue still this Parliament, as being that from which they might probably expect all good things. This being vehemently insisted upon did much confirm them in their apprehensions, that not any love to a Representative, but the making use thereof to Recruit, and so to perpetuate themselves was their aim in the Act they had then under consideration. That for preventing the consummating thereof, and all the sad and evil consequences which upon the grounds aforesaid must have ensued, and whereby at one blow the Interest of all honest men, and of this glorious Cause had been endangered to be laid in the dust, and these Nations embroyled in new troubles, at a time when the Enemies abroad were watching all opportunities against it, and some of them actually engaged in a War with it, they had been necessitated (though with much repugnancy) to put an end to this Parliament.

This Declaration of *Cromwells* and his Council of Officers was backed by the ready consent of the Admirals at Sea, and all the Captains of the ships, as also by all the Commanders of Land Forces in *Scotland*, *England*, and *Ireland*, so that there was nothing to do but to publish a Declaration, requiring the people to live peaceably, and quietly to submit

submit themselves to the Government of the Council of State nominated by *Cromwell*, till such time as a Parliament (or I know not what to call it) of his own framing, consisting of such whom he terms persons of approved fidelity and honesty, could meet and take upon them the Government of these Nations, for whose Assembling Writs were after this unusual form issued out:

1653.

Cromwell chooses several persons

Forasmuch as upon the Dissolution of the late Parliament, it became necessary that the peace, safety, and good Government of this Common-wealth should be provided for, and in order thereunto, divers persons fearing God, and of approved fidelity and honesty, are by my self with the advice of my Council of Officers nominated, to whom the great charge and trust of so weighty affairs is to be committed; And having good assurance of the love to, and courage for God and the Interest of his Cause, and the good People of this Common-wealth: I *Oliver Cromwell*, Captain General and Commander in Chief of all the Forces raised or to be raised within this Common-wealth, do hereby Summon and require you (being of the persons nominated) personally to be, and appear at the Council-Chamber, commonly called or known by the name of the *Council-Chamber at White-Hall* within the City of *Westminster*, upon the fourth day of July next ensuing the date hereof, then and there to take upon you the said trust, which you are hereby called and appointed to serve as a Member for the County of and hereof you are not to fail. Given under my Hand and Seal, &c.

to be the Supreme Government.

This was the strangest Constitution of any thing that ever took upon it the name of a Parliament, yet accordingly the whole number being about one hundred and forty met on the day appointed in the *Council-Chamber*, where *Cromwell* with the rest of his Officers being ready to receive them, he made a large speech to them: recounting first (according to his canting manner) the many wonderfull mercies of God towards this Nation, and the continued Series of providence by which he had appeared in carrying on his cause, & bringing affairs unto that present glorious condition wherein they then were, recounting to them the carriages of affairs ever since the famous Victory at *Worcester*, and the several actions of the Army therein: Their divers applications to the Parliament without any hopes of producing a settlement, and from thence setting forth the grounds and necessities of dissolving the late Parliament, which he declared to be for the preservation of the Cause, and the Interest of all honest men engaged therein; and then endeavouring to justify the lawfulness of their calling, to take upon them the Supreme Authority, wresting the very Scriptures in justification of it; and in conclusion, desiring that tenderness might be used towards all conscientious persons of what judgment soever. His speech ended, he produced an Instrument under his Hand and Seal, whereby by the advice of his Council of Officers he did devolve and intrust the Supreme Authority of this Common-wealth, into the hands of those persons there mentioned in the manner aforesaid, who, or any forty of them were to be held and acknowledged the Supreme Authority of this Nation, unto whom all persons within the same, and the Territories thereunto belonging were to yield obedience and subjection; yet the time of their sitting was limited to the third of November, 1654. And three Months before their Dissolution they were to make choice of other persons to succeed them, whose powers and sitting should not exceed twelve Months, and then they likewise to provide and take care for a like succession of the Government.

They meet.

How

The Civill Warres

1653.

Call them-
selves a Par-
liament.

John Lil-
burn denied
protection.

How far this was from the peoples liberty of choosing their Representatives by their free Votes, I leave to the World to judge. But this *Caball* having received their Instructions, were dismissed to take their places in the usual Parliament-house, where having chosen Mr. *Rouse* their Speaker, the first debate was by what name they should be called, (for there were some of them who were sensible, that neither their number nor manner of Election could qualifie them so as to take upon them the name of a Parliament) yet at length it was carried in the Affirmative, that they should be called a Parliament, and that all Addresses should be made to them under that Title, and as the Supreme Authority of the Nation, accordingly they resolved to proceed. During these Transactions, *John Lilburn*, who about the latter end of the Juncto of Commons, or Remnant of the Long Parliament, had been banished for writing several seditious Pamphlets against them, their power being dissolved and annulled as before-said, came over into England, and cast himself upon the Lord General *Cromwel* for protection; but he knowing him to be a person of a turbulent spirit, and who would be as ready to blazon his ill actions to the World as he had done theirs, referred him to the Law, so being committed to *Newgate*, he underwent a severe Trial; but so strongly pleaded his cause, standing for his liberty as a Free-born English man, that the Jury brought him in not guilty, to the great discontent of his Enemies, who notwithstanding granted him not his freedom, which they feared might prove dangerous to themselves; but kept him imprisoned first in the Tower of London, and after in Dover Castle, where (falling into Quarrelsm) he some years after died at *Eltham*.

Act concern-
ing Mar-
riages.

Barebones
Parliament

But to return to our Mock-Parliament, who had sat from July till December, without having employed their Authority in any thing, except the making of an Act concerning Marriages, and that out of meer envy to the Clergy, which this *Caball* (consisting for the most part of Sectaries, among whom one *Praise-god Barebones*, a Leather-seller in *Fleet-street*, being a chief Ring-leader; this was afterwards called *Barebones* Parliament) had a great despite to, and had after debates both for the taking away of Tithes, the Ministers maintenance, and selling the University Lands, whereby all Learning might have been abolished in the Nation; but though there were many which gave their Votes in the Affirmative for both, yet the major part would not incline to the taking away of either, whereupon the other party began to fly, and to argue against the Ministerial Function it self, which they urged to be burthensome to the People, and therefore Antichristian; nor were there lesse then sixty Members of the one hundred and forty who were of this opinion, which the other fearing would take their opportunity (any forty of them being a *Quorum*) to effect their designs, it was on the 12. of December proposed by a Member that they should dissolve themselves, which was readily assented to; and so the Speaker with a great part of his company adjourned to *White-Hall*, where they redelivered to *Cromwel* their Instrument of Government which they had received from him: so by this Resignation the power over these Nations, was presently adjudged to reside in him to whom they had resigned it, and by his Council of Officers it was concluded soon after:

Resign their
power to
Cromwel.

He is made
Protector.

"That the Government of the Common-wealth of England, &c. should be in a single person. That that person should be *Oliver Cromwel*, Captain General of all the Forces in Scotland, England, and Ireland. That his Title should be Lord Protector of the Common-wealth of England, Scotland, and Ireland, and the Dominions and

And
vied his
their Str

of Great Britain and Ireland.

365

“and Territories thereunto belonging. That he should have a Council of one and twenty persons to be assistant with him in the Government.

1653.

There was likewise an Instrument framed, which contained the chief heads and basis of the Government, which were to this effect;

“That the Protector should call a Parliament every three years. That the first Parliament should be convened on the third of September, 1654. That he should not dissolve any Parliament till it had sate five moneths. That such Bills as he should not sign within twenty dayes, should passe without him. That he should have a select Council to assist him, not exceeding twenty one, nor lesse then thirteen. That immediately after his death the Council should chosse another Protector before they rose. That no Protector after him should be general of the Army. That the Protector should have power to make Peace or War, That with the consent of his Council he should make Laws which should be binding to the Subjects during the Intervals of Parliament.

This Instrument of Government (for so it was called) was supposed to be made ready against the time of the *Cabals* resigning their power, nor could it be believed a *Machine* of so few dayes contrivement, that Assembly being dissolved but the 12. of December, and on the 16. of the same Moneth *Oliver Cromwel* in the Court of Chancery in *Westminster-Hall*, was in the presence of the Judges, the Lord Maior and Aldermen of London, with the chief Officers of the Nation sworn as Protector, the substance of his Oath being not to violate any thing contained in the aforementioned Instrument of Government, but to observe and cause the same to be observed, and in all things to the best of his understanding to govern the Nations according to the Laws, Statutes, & Customs, seeking peace, and causing Justice and Law to be equally administred, and immediately after the Administration of the Oath, the ensuing Proclamation was publickly proclaimed, first by the Heralds at Arms, in the *Palace-yard of Westminster*, after by the Lord Maior and Aldermen of London, and then throughout England, Scotland and Ireland, &c in these words:

He is sworn

Whereas the late Parliament dissolving themselves, and resigning their whole powers and Authorities, the Government of the Common-wealth of England, Scotland and Ireland, by a Lord Protector and successive Trienniall Parliaments, is now established: And whereas Oliver Cromwell Capt. General of all the Forces of this Common-wealth, is declared Lord Protector of the said Nations, and hath accepted thereof, we have therefore thought necessary (as we do hereby) to make publication of the premises, and strictly to charge and command all and every person and persons, of what quality and condition soever in any of the said three Nations, to take notice hereof, and to conform and submit themselves to the Government so established: And all Sheriffs, Maiors, Bailiffs, &c. are required to publish this Proclamation, to the end that none might have cause to pretend ignorance in this behalf.

And proclaimed.

And some few dayes after the enslaved City of London, to shew their compliance, invited his new made Highnesse to a sumptuous entertainment at *Grocers-Hall*, railing in their Streets, and receiving him with as much solemnity as ever they had done any lawfull

1653.

Ald. Vyner
Knighthd.

full King of *England*, in-requittall of which, to shew the first effects of his *Usurped* Dignity, he conferred a Mock-honour of Knight-hood on Alderman *Vyner* then Maior of *London*.

C H A P. C.

The continuation of the Warre with the Hollander. Peace concluded with them.

THese changes and alterations in *England*, at first put the *Dutch* in some hopes of gaining thereby an advantage upon this Nation; to which purpose with all speed possible, they manned out a gallant Fleet, consisting of ninety sail of men of Warre, with which they first convoyed a numerous Fleet of their Merchant-men, bound for several places in *Spain*, *France*, *Italy* and *Turky*; whom yet they either durst not venture with through the Channell, for fear of the *English* Fleet, but carried them round about *Scotland*, for the more security; or else did it that both they set them in more safety, and likewise had the conveniency in their return, of calling and convoying home their *Russia*, *Denmark* and *Norway* Merchant-men, and others, employed in the *East-land* Trade, who then lay in the sound waiting for a Convoy, which they now had of the whole Fleet, which brought them all home in safety. These happy Voyages of the *Hollanders*, without having the least appearance of an enemy, put them up, and made them resolve to attempt somewhat on the *English*; and to that purpose, crossing over on the 25. of *May*, they came into *Dover* Road; where finding so inconsiderable a prey as three small Vessels, they wrecked their anger on the Town, shooting through and through some houses, but doing little other mischief: from thence next day they stood to the Northward, with resolution to seek out the *English* Fleet, which they bragged they must send *Huc* and *Crye* after; but they were not long in search, for the *English* Generalls having advice of their being thereabout, had made all the sail they could to the Southward, and anchoring three leagues a head of the *Gober*, on the third of *June* early in the morning, they espied two *Dutch* Gallions, with two Frigots, having order to pursue, they brought them directly in view of the Fleet of the *Hollanders*; whereupon the Frigots giving the accustomed sign, the whole Armado made what sail possible they could to engage the *Flemmings*; but it was near twelve a clock before they could come within cannon-shot of them, yet the fight continued very hot till night, with little loss visible on either side, only the *English* had one of their Generalls, Coll. *Deane*, slain with a cannon bullet out of the *Flemmish* Rear-Admirall. The next day it was likewise late before they engaged; *Van Trump* had at first got the advantage of that little winde which was stirring, and had brought up his Fleet in very good order, thinking to charge through the *English*; but the winde veering about to the Westerly, his project failed; and instead of it, the two *English* Generalls, *Blake* and *Monke* (who had lately been called out of *Scotland* to that command in the Navy) fell in so furiously amongst the thickest of the *Dutch*, that they forced them to retire, and in the end with all the sail they could make, to run away to their own coasts, leaving behinde them eleven of their ships, which were taken, and six sunk, six of their Captains, and thirteen hundred and fifty common sea-men taken prisoners. The loss of the *English* appeared only to be Generall *Deane*, one Captain, and about two hundred sea-men slain; and many more then that number wounded

Fight of
Gober.
General
Deanellain.

Dutch beaten.

of Great Britain and Ireland.

367.

1653.

wounded, but they had not one ship lost or disabled; which made them the next day, at a Council of Warre, resolve to follow the *Hollanders*, and by ranging before their ports, of the *Weilings*, the *Vley* and the *Texel*, into which places they fled with their shattered Fleet, to block them up in their own Harbours, which accordingly they did, putting the *Dutch* to extream straits, and taking prizes daily before their faces, which by reason they could not come out to joyn together, they durst not adventure to relieve.

These extraordinary losses made the Lords Generall of the *United Provinces* again endeavour to mediate a Peace; and to that effect and purpose, four Commissioners, to wit, Monsieur *Beuring*, *Newport*, *Toungial* and *Vanderpane*, (the last of which died soon after his arrival in *England*) were sent to renew a Treaty: yet notwithstanding the three surviving Commissioners employed their utmost endeavours, neither a cessation of armes, nor any thing tending to a reconciliation could be procured; which whilest they were agitating for, there happened another encounter between the two Fleets, for *Van Trump* having all that while been providing and making ready a potent Fleet to beat the *English* from before their Harbours, and had for the better expediting of it, and greater encouragement of the sea-men to go upon the service, made Proclamation, that all men of Warre taken from the *English* should be intirely distributed among the Mariners, besides proportionable rewards to those who could take the Admiralls, Vice-Admiralls, or Rear-Admiralls Flags, so that on the 29. of *July*, he made sail out of the *Weilings* with 95. men of Warre; which the *English* having notice of, immediately made towards them; but the *Dutch* standing away, it was six a clock at night before any of the Fleet were engaged, nor was there any thing worth mention done, the night parting them. *Van Trump* all night stood in to the *Texel*, where he joyned with twenty-five stout men of Warre more, so that now in all he was one hundred and twenty sail: with this addition he next morning faced the *English*, who by reason the winde was somewhat high, and the weather thick and cloudy, stood off to sea, fearing to fall on the flats, or upon a lee-shoar; whereupon the *Dutch* supposing they fled, one of the Captains called out to *Van Trump*, telling him, That those dogs durst not abide one broad-side from his Excellency: That he might plainly see they ran away for feare, and therefore desiring him not to lose so fair an opportunity. But *Van Trump*, who both was better experienced in the *English* valour, and knew the reason of their standing off, generously reply'd: Sir, do you be carefull to look to your charge, and trouble your self no farther, for if the *English* were but twenty sail, I am sure they would fight us: Nor did he guess amiss, for the *English* having now got a little more sea-room, and finding the weather somewhat to clear up, faced about, and were presently courageously encountered by the *Hollanders*, and were as gallantly received: the fight continuing very hot and bloody on both sides, from six in the morning till one in the afternoon, when the *Holland* Admirall, the famous *Van Trump*, standing upon the poop of his ship, brandishing his sword, and encouraging his men, was by a musket bullet shot on the left pap near the heart, and slain outright; his death immediately deadning the hearts of all the *Dutch* men, who towards evening seeing likewise many of their ships burnt and lost, hoisted all sail they possible could, and fled away directly towards the *Texell*: And the *English* having bought their Victory at no cheap rate, pursued them no further, but steered their course to *Soale Bay*, there to dispose of their prisoners, and mend their maimed and tottered ships. The *Hollanders* in this fight had between twenty and thirty of their Frigates sunk or fired, and above a thou-

Mediate
for peace.

Fight of
the *Texell*.

Van Trumps
generosity.

He is slain.

The *Dutch*
flee.

Their
great loss.

sand

The Civill Warres

sand prisoners taken; but their greatest loss was that of their Admirall *Van Trump*, who though he was alwayes unfortunate in this Warre against the *English*, yet might well be esteemed one of the best sea-Captains of his time. The *English* had in this fight four hundred comon sea-men, and eight Captains, *Graves*, *Chapman*, *Taylor*, *Newman*, *Crispe*, *Owen*, *Cox* and *Peacock*, slain outright; and about seaven hundred common men, with five Captains, *Stoakes*, *Seaman*, *Rouffe*, *Hollander* and *Cabitt*, wounded; but they lost only one ship, the *Oake*, which was burnt by a fire-ship, though two or three more were disabled. For this eminent Victory, the Mock-Parliament then sitting at *Westminster*, sent the two Generalls, *Blake* and *Monck*, as likewise to Vice-Admirall *Pen*, and Rear-Admirall *Lawson*, chains of gold; other chains were also sent to some of the Flag-Captains, and medalls to several Commanders of Frigats, as tokens of favour.

This was the last sea-fight that happened between the *English* and *Hollanders*; and now was the Treaty with more vigour then ever prosecuted by the Commissioners, but with no visible effects till the latter end of the Winter, when two of the Commissioners, *Newport* and *Youngblood*, repassed into *Holland*, under pretence of fetching fuller power, but as was supposed by many, rather to fetch money, for at their return the Peace was immediately concluded and proclaimed in *London*, the beginning of *April* 1654.

Peace
concluded.

CHAP. CI.

The King's entertainment in France. His endeavours to reconcile the King and Princes. His departure thence.

WE left his Majesty safely arrived at *Roan* after his miraculous escape from the battell of *Worcester*, whence having given advice to *Paris* of his arrivall, the Duke of *Orleans* immediately dispatched his own coach to bring him up, and himself went forth accompanied with many of the Nobles of *France* as far as *Magny*, great preparations being in the mean time made for his accommodation in the *Louvre*, where the same night he arrived. He was visited by the Queen his Mother, and the next day by the Duke of *Orleans* and *Mademoiselle* his Daughter, as likewise by the Dukes of *Beaufort*, *Guise*, *Longueville*, Marshall *Turain*, and many other Peers and Nobles of *France*, all complementing and congratulating his happy delivery: Nor was it long before the King and Queen-Mother of *France* came to visit him, making great proffers of service and professions of affection. Here his Majesty not having any farther probable means visible for the regaining of his Kingdoms, was forced to take up his residence, living yet though beneath his quality, and as necessary he must somewhat disconsolately, being deprived of and banished from his own rights and Dominions, yet was he highly respected both by the King, Queen, and Peers of this Realm, whilst in the mean time he had the hearty prayers, and should have had, had opportunity presented, the earnest endeavours of many of his loyal subjects for his restauration to the settlement of his enslaved Kingdoms in peace and quiet: And Peace it seems he was most by nature inclined to, as appeared by his earnest endeavours to procure a Peace and Reconciliation between the King of *France* and the Princes of the blood; who discontented that the whole management of the affairs of that Kingdome were committed only to the Cardinal a stranger, and they as it were utterly excluded from all administration of publick affairs of State, had incensed the people against him, and bred as it were a kind of Civil War in

that

1654.

that Nation ; to prevent the effects of which, his Majesty interposed as a Mediator, and so far prevailed, that several conferences were had between the King and the Princess but all proving ineffectual, the King of France resolving not to banish *Maçarin*, who the said had approved himself a most faithful Servant and able Minister of State : so the warlike preparations went on on both sides : The Duke of *Lorrain*, who was then with an army in the *spanish* service, was solicited to come in to the aid of the Princess ; but he being by some of the Court faction tampered with, made many delays and hesitations, and at length utterly refused to come. A suspicion was in the mean time had, that the King of *England* had advised the King of *France* not to condescend to the banishment of *Maçarin*, which the Princess so much desired, and in which they were seconded by the Parliaments and people of *Paris* and *Roan*, and without it would come to no accord or pacification. It was likewise supposed that his Majesty of *Great Britain* had endeavoured to withdraw *Lorrain* from joyning with them ; which suspicion was increased when the Duke of *Beaufort* going into *Lorrains* camp, to solicit him to come and fight, found there the King with his brother the Duke of *Tork*, who upon his coming withdrew. Nor could *Lorrain* then with the utmost of *Beauforts* persuasions, be induced to advance ; whereupon the suspicion that the *English* Princes had a hand in his backwardness, flying about, the common people were so enraged against them, that they sticked not to threaten violence to their persons : nor could the Queen Dowager pass from the *Louvre* to the Nunnery at *Chaliet* (whither she had then retired her self) without publick affronts : yet these suspicions of the Princes, and common people, were altogether devoid of reason, for the King of *England* had on the other side counselled his Cousin of *France* rather to consent to the departure of *Maçarin* out of his Dominions, then hazard the embroyling his Kingdom in a Civil War ; whereby he made a close, though real enemy of the Cardinal : but in the mean the popular fury forced him to withdraw to *St. Germain*, where he lived retired without any more interposing in those affairs, till such time as the heat was over.

But in the mean time *Cromwell* having made himself supreme Governour of his Majesties Dominions, tyrannized there over the bodies of his most loyal subjects : for no sooner was he entred into his usurped Throne, but a pretended conspiracy was found against him, and several faithful Royalists committed to the Tower : but it seems he was unwilling to dye his seat with blood at first entrance : their loyalty was for this time pardoned : but not long after in *May 1654.* another design was found out, and pretended to be contrived by two *Gerrards* Esquires, brethren, one *Fones* an Apothecary, *Tewdvor Fox*, and *Peter Powell*, for the taking away the *Protectors* life, seizing the Tower of *London*, proclaiming his Majesty King, and other strange wonders : These persons being secured in the Tower, on the first of *July* an High Court of Justice was erected for their trial, and Colonel *John Gerrard*, Mr. *Peter Powell* a School-master, and one *Somerſet Fox*, were condemned for High Treason, though there were yet no law in being which made the conspiring of the Usurpers death to be Treason : the last for his ample and ingenious confession was reprieved, but the other two were executed, Mr. *Powell* being on the tenth of *July* hanged at the place where *Charing-Cross* once stood ; where being the first that suffered under this new-sprung Tyranny, and ending so much like a Christian, it will not be impertinent to insert his last words, which were thus :

The Civill Warres

Gentlemen,

At this earthly Bar from them that pretend to have a great measure of Sanctity, I have had hard measure; but to that Bar I am now going, the Bar of Heaven, I shall have Justice; yea, one day Justice against them, except they water their beds and couches with tears of repentance. The Court gave severe and rash judgement on my body, and sent a pitiful fellow (but a pitiless fellow) that gave as rash judgement of my soul; but that precious Jewel none of them could touch to hurt. The souls under the Altar cry loud for vengeance long agoe: how many more of late years have been added to help them to cry? The cry is loud of those lately whose blood hath been unlawfully spilt: but vengeance is Gods, and I will leave it to him. The Court of my tryal said, I was confident, and held it as a fault: He also whom they sent to the Tower (I know not if to entrap me) under pretence to comfort my soul, told me also, I was confident: I say the same: and the same confidence I bring with me now; and by Gods assistance, I hope I shall carry it out of this world with my innocency. Gentlemen Souldiers, among the ancient and savage sort of Heathens, they had a law once every three, six, or twelve moneth, to offer up a sacrifice of humane blood to their God; and that their God was a Devil: Among us, whether Heathen or no, you best know; of late years we have had a fatal custom once in three, six, or twelve moneths, not only to make one sacrifice, but many sacrifices of humane Christian blood: our scaffolds have reeked and smoked with the choicest sort of blood: But unto what God do you judge? What God is he that delighteth in the blood of man? *Baal* the God of *Ekyron*, *Beelzebub* the God of flies. Amongst the primitive Christians that lived nearest the time of our Saviour Christ, the greatest Tyrants and persecutors of the Christians lived, the persecution was great, and yet the courage of those persecuted Christians was so great, that it excelled the fury of their persecutors; that they came in faster to be killed then they could kill, they offered their bodies and throats so thick unto the slaughter, that the hands of the Tyrants were weary with killing: And yet *Sanguis Martyrum*, was *Semen Ecclesiae*, and many Heathens came in with the Christians, seeing their cheerefull constancy, turned Christians, and dyed Christians, and dyed with them: they still increased the more. Of late years here hath been a great persecution in this Nation, and yet the sufferers have been so many, and present themselves so thick in the vindication of their King, Countrey and Laws, that they startled the very enemy themselves: Their constancy so great, that their Judges dropped tears; whether real or true, let the Judge of Judges judge. They still stand amazed at their constancy, though they exceed the old Heathens, are not weary of killing. Oh, Souldiers! how many of you have been brought up and led on by blind principles, wronged in your education, or seduced by your indiscreet, heedless and heady Teachers? How many of you, young men, have for some small discontent, departed from your loving Masters, dear friends, or tender parents, and fled into the army? How many of you driven by Tyrannous oppression, poverty or cruelty, have left your dear wives and children? And some for novelty and wantonness, adhere to this employment, not considering the great danger of spilling innocent blood. How many of you have drawn your swords, you do not know for what? How many of you keep drawn your swords, you do not know for what? You have put to death a pious and just King, and in his stead have reared up another *Jeroboam*, that makes *Israel* to sin. What his goodness is, you best know. You have put down the good

old

Have
ving all
red deat
same tim
some fri
er-Hill,
courage

old Law, and rearer up another of your own, to judge the people by: My calling for the benefit of the former, and for the equity of your own Law, I am in part condemned here to dy. Be you judge of the proceedings. How many of you have had a hand in putting down the ancient true Church, and raising up in your own imaginations a new one? But, alas! you know not what you do: it you did, you would grieve to see what glorious Church you have ruined: you would never have pulled down the hedges, and broken down the fences, that the wild beasts of the Forest should come in, that the little Foxes should devour, and the wild Boar should root up so stately a Vine. When the Jews were led into captivity, their goodly and magnificent Temple was burnt, but in process of time they obtained favour from the Heathen Kings they dwelt amongst, and had liberty therewith to rebuild: rebuild they did, and finished a second Temple, at which sight all the young men rejoiced to see so gallant a Temple; but the old men wept, to see how far different and short the second Temple was from the glory of the first: So you young men, rejoice at your imaginary Church: but the old men, me thinks, I see some weep. (Oh! weep not for me.) Weep for your Countrey: weep to see Religion, Liberty and Laws taken from you: weep to see so many good men snatch away, but indeed from the miseries to come; and weep for what your unhappy selves will suffer. Souldiers, however you flourish for a time, and perhaps many of you may rejoice at our deaths; but believe it, as *Sampson* pulled the houle of the *Philistines* down when he fell, so shall we give you and your cause a greater blow by our death, then living we possibly could have done: you may for a time flourish, but remember what our Saviour said: *All you that make use of the sword, shall perish by the sword: You shall be cut down like the grass, and wither away like the green herb.* But do you behold your glorious place? Do you behold the spangled Heavens, where the holy Angels dwell, vvhith God himself is rounded vvvith Thrones, Principalities, Powers, and the celestial Spirits of all just men, vvhith the Trump shall blow, vvhith the dead shall rise at the dreadful day of Judgement? How vvill you answer all your rapes and murders? Do you think your hands that have been bathed in the blood of your King, and the blood of so many of your eminent Countrey-men so unjustly, they have been bathed in the blood of many of your friends, your kindred, perhaps your parents, can ever reach yonder glorious place vvithout repentance? Oh! no: repent now therefore, and throw of the bloody *Protestor*; rescue your antient Laws, and call in your Royal young Prince, vvhom you have long enough vvronged. Make your addresses to the great *Protestor* of Heaven and Earth, as I now do myself, for a pardon for all your former and present transgressions. I dye an obedient son of the Church of *England*, and vvith a dutiful heart to the King, and desire that none present vvill be disheartened by my death, but continue faithful to the end.

Having ended this Speech, to which he added some charitable expressions of his forgiving all the world, and some private prayers, the Cart being drawn away he there suffered death. The same day in the afternoon Col. *John Gerrard* being condemned at the same time with Mr. *Powell*, and to suffer the same death, but was by the Intercession of some friends granted the favour of being beheaded, was brought to the Scaffold on *Tower-Hill*, whither he passed, and where he demeaned himself vvith such a *Roman*-like courage as was admirable; he vvould willingly have spoken somewhat to the people, but

1654.

was not permitted by the Sheriff and Lieutnant of the Tower, who told him, that if he spoke any thing, it must be very briefe, and that they must not suffer him to speak any thing that was leditionous: To which he replied, that he must submit to their will; but that he thanked God, he never yet had to do with any thing that was leditionous: That he would faine have spoken somewhat to clear himselfe to the world, according to the custome, but since it would not be permitted; Sir, sayes he to the Minister, let you and I speak to him that will give us leave, and so going to the corner of the Scaffold, the Minister prayed with him; which done, he stood up again, and putting off his hat to the people, told them, that he was not permitted to speak a few words according to his intention, yet doubted not, but what he would have said would come to their ears: But this he desired them all to take notice of; That he died a faithfull Subject and Servant to King *Charles the Second*, whom he prayed God to blesse and restore to his Rights, protesting, that had he ten thousand lives he should gladly lay them all down for his service; but here he was interrupted by the Sheriff, who told him, that he would do better to confesse what he knew concerning that horrid Plot for which he was condemned: To which he answered, that he had confessed all that he knew concerning any Plot; that he thought they knew more of the Plot that condemned him then he did, but he heartily forgave them; whereunto the Minister replied, that it was well done to forgive those that persecuted us: but that as his case stood, he would likewise do to deal in this businesse with all candour and sincerity, not concealing any thing that he knew of it; upon which lifting up his eyes to heaven, and laying his hand upon his breast: Oh Sir (sayes he) if there had been any such thing in this breast, would I not have revealed it before this time? I protest in the sight of Almighty God, I know no more of any such design, but only what I have often acknowledged, that it was motioned by me to *Henshaw* (who I confidently believe is in their hands) and debated twice or thrice when I was with him, but I never entertained it at all, and at the last flatly disowned it, and told him I would have nothing to do in it. He was many times pressing me to nominate what persons I knew I could bring, and to have their names, but let them shew any such thing if they can against me; but I am certain he is in their hands: Then the Minister minding him, that something might be expected from him concerning his Religion, he said; I dye a Christian, a true Christian, according to that Faith and Religion which was professed by the Church of *England* in the time of our late King of blessed memory; and I praise God, I am so fited and ready to die, that I am confident by the merits of *Jesus Christ* that my sins are pardoned, and my Salvation is at hand. Then having once more bid the people farewell, and besought them to remember, that they had a Sovereign abroad who deserved to be remembered: taking his last leave of the Minister and other friends, with an undaunted courage submitted his neck to the block, the Executioner at one blow severing it from his body, which was no sooner done, but *Don Pantaleon* *sa*, brother to the Ambassador of *Portugall*, was brought upon the Scaffold, he having received some affront upon the *New-Exchange*, to revenge his quarrel, came thither with a boisterous crew, armed with Swords, Pistols, and Hand-granadoes, where they slew a Gentleman no way concerned in the quarrel, for which Riot some of his followers were hanged at *Tiburn*, and himself now brought to suffer on *Tower-Hill* (with Collonel *Gerrard*, the person say some with whom his quarrel began) where hee entertained death with as much dejection of spirit, as the other had done with courage and magnanimity.

Thus

of Great Britain and Ireland.

373

1654.

Thus reigned *Cromwells* Tyranny even in the beginning of his Government in *England*, whilst the *Scots* in the *High-lands* hoping that some distractions would ensue his dissolution of the old Juncto of Commons, had endeavoured again to appear in Arms for his Majesty, first under the Earl of *Glencarne* and *Kenmore*, who had rallied to a body of near four thousand in all; but these being fresh Souldiers, and ill armed, were at their Rendezvouz, before they could get into any order, set upon by Major General *Morgan* with about fifteen hundred Horse and Foot, and totally dispersed, *Glencarne* himself hardly escaping with forty Horse; but not long after out of hopes of *Middletons* joyning with him with considerable supplies both of Men, Money and Ammunition from the *Netherlands*, he began again to raise some Force, which with much industry he had got into a body, but *Middleton* at his arrival bringing Commission for himself to be General, and for *Monroe* who came with him to be Lieutenant General, it so greatly disgusted *Glencarne* that he should raise an Army for others to command, that with five hundred he deserted the Army, and made his composition with the Governour of *Dumbarion*; when General *Monck*, who after the conclusion of the War with the *Hollander* had been sent Commander in chief into *Scotland*, having now waited the end of their discontents, falls upon *Middleton* at *Loughaber*, routs his whole party, and forces him to flye back to *Holland*.

Thus was *Scotland* wholly subjected, the *Highlanders* being never after able to stirre. Nor was *Ireland* lesse but rather in greater subjection to the Usurping Protector, for there the *Irish* were transplanted into *Connaught*, and their Lands divided among the Officers and Souldiers of the Army, so that it might be said, that *Cromwell* had as it were planted that Countrey with his Myrmidons.

CHAP. CII.

The Calling and Dissolution of Cromwells first Parliament: A Plot discovered.

BUt though *Cromwell* was thus possessed of these three Kingdoms of *England*, *Scotland* and *Ireland*, and had both the whole Legislative and Military power in his hands, yet he thought not the first secured to him till he had got the consent of the people: And therefore according to his Oath taken, to observe all things contained in the Instrument of Government, he summons a Parliament, to convene on the third of September: Who being accordingly assembled, after having heard a Sermon in *Westminster Abbey*, he retired with them into the *Painted Chamber*, and there makes a Speech to them to this effect:

That that Parliament was such a Congregation of wise, prudent and discreet persons, that *England* had scarce seen the like: That it would be very necessary, and worthy such an Assembly, to give a relation of the series of Gods providence all along to these very times, but that being very well known to them he should at present omit it; and proceed to the declaring how the erection of his present power, was a suitable providence to the rest, by shewing them what a condition these Nations were in at its erection, that then every mans heart was against another, every mans interest divided against anothers, and almost every thing grown Arbitrary: That there was grown up a general contempt of God and Christ, the grace of God turned into wantonnesse, and his Spirit made a cloak for

The Civill Warres

for all wickednesse and prophanesne: Nay, that the Axe was even laid to the root of the Ministry, and swarms of Jesuites were continually waisted over hither, to consume and destroy the welfare of England: That the Nation was then likewise engaged in a deep War with Portugall, Holland and France, so that the whole Nation was in a heap of confusion: But that this Government was calculated for the peoples Interest (let Malignant spirits say what they would) and that with humblenesse towards God, and modestly towards them, he would recount somewhat in behalf of the Government: For first it had endeavoured to reform the Law, it had put into the seat of Justice men of known integrity and ability, it had settled a way for probation of Ministers to preach the Gospel, and besides all this it had called a Free Parliament: That blessed be God they that day saw a Free Parliament: Then as to Warres, that a peace was made with Denmark, Sweden, the Dutch and Portugal, and was likewise neer concluding with France: That these things were but entrances and doors of hope, but now he made no question to enable them to lay the Top stone of the Work, recommending to them that Maxim, *That peace though it were made, was not to be trusted farther then it consisted with Interest*: That the great Work which now lay upon this Parliament was, that the Government of England might be settled in terms of honour: That they would avoid confusions, lest Foreign States should take advantage by them: That as for himself, he did not speak like one that would be a Lord over them, but as one that would be a fellow-servant with them in this great affair; concluding, that they would repair to their House, and there make choice of a Speaker.

His speech ended, the Parliament departed to the House, where the Commons usually convene, where having chosen *William Lenthall* Esq; Benchet of *Lincolns-Inne*, and formerly Speaker of the Long Parliament, to be their Speaker, they proceeded to debate, and first began to question the authority of that power which had convened them, and whether lawfull or not, which many argued against; among the rest, one of the Members who had been a great Common-wealths man, told them,

“ That they could not but discern the snares that were laid to entrap the priviledges of the people: Declaring, That for his own part, as God had made him instrumentall in cutting down Tyranny in one person, so now he could not endure to see the Nations Liberties shackled in another, whole right to the Government could not be measured otherwayes then by the length of his Sword, which was only that which emboldened him to command his Commanders.

Which speech of his was confirmed by many others, notwithstanding which, the question was put, Whether the Government should be by a Protector and a Parliament? This the Protectorians endeavoured to have made no question, but to be resolved in the Affirmative; yet such were the divisions of the House, that after eight dayes canvassing of the Protectors power and Instrument, nothing was effected; whereupon his Highnesse (for so was he stiled) finding how rugged they moved as to his Interest, goes from *White-hall* to the *Painted Chamber* at *Westminster*, and sending for the Parliament thither, tells them,

“ That the great God of Heaven and Earth knew what grief and sorrow of heart it

was

“ was to him to find them falling into heats and divisions : That he would have them
 “ take notice of this, that the same Government made him a Protector which made them
 “ a Parliament : That as they were intrusted in some things, so was he in others : That
 “ in the Government were certain fundamentals which could not be altered, (to wit)
 “ That the Government should be in a single person and a Parliament : That Parlia-
 “ ment should not be perpetual or alwayes sitting : That the *Militia* should not by trust-
 “ ed into one hand or power, but so as the Parliament might have a check on the Pro-
 “ tector, and the Protector on the Parliament : That in matters of Religion there ought
 “ to be liberty of conscience, and that persecution in the Church was not to be tollera-
 “ ted. These (sayes he) are unalterable fundamentals, as for the rest of the things in
 “ the Government they were examinable and alterable as the state of affairs did require :
 “ That for his own part he was even overwhelmed with grief to see that any of them
 “ should go about to overthrow what was settled, contrary to the trust received from the
 “ people, which could not but bring very great inconveniencies upon themselves and the
 “ Nation.

Thus he perswaded them to comply with his interest, but fearing his Rhetorick would
 little prevail, he provided the following recognition to be signed by every individual
 Member, before they should again enter the House :

*I do hereby promise and engage to be true and faithfull to the Lord Protector of the Com-
 mon-wealth of England, Scotland, and Ireland, and shall not (according to the tenour of
 the Indenture whereby I am returned to serve in Parliament) propose or give my consent to
 alter the Government, as it is settled in one person and a Parliament.*

This the major part of the House refused to subscribe to, and were therefore forbid
 sitting, but many there were who without reluctance consented to set their hands to it,
 and these continued consulting to the end of the five moneths, when the Protector see-
 ing little hopes that they would correspond so far with his Interest as to settle him in the
 Government, not letting slip a day nor scarce an hour, of the time limited in his Instru-
 ment of Government, on the tenth of *January* he dissolved them.

Soon after the dissolution of this which might be called the Parliament that did no-
 thing, several plots against the Protector's Tyranny were found out, said to be contri-
 ved not only by the Cavaliers; but likewise by the Levellers, who it seems were still
 stirring; for Major *Wildman*, a great man of that Sect, was taken as he was dictating a
 Declaration, which he had entituled, *A Declaration containing the Motives and Reasons*
which oblige us to take up Arms against Oliver Cromwell. *Wildman* was sent prisoner,
 yet because there must alwayes be some of the Royal party in such attempts, Sir *Henry*
Littleton, Sir *John Packington* and others, were likewise committed; but indeed soon
 after there appeared some endeavours of the Royalists, (though they proved but weak
 ones) to regain their Countreys freedom; First in *Salisbury* a party of two hundred
 Horse, under Sir *Joseph Wagstaffe*, Col. *Penruddock* and *Jones*, and some others, en-
 tred *Salisbury*, seized on all the Houses in the chief Innes of the Town, and took away
 the Judges Commissions who then kept the Assizes there. Another party there was,
 which should have seized on *Shrewsbury* Castle, but being discovered, that was preven-
 ed, and they dispersed themselves. In *Montgomeryshire*, *Northumberland* and *Tork-*

shire.

The Civill Warres

shire other parties were likewise gathered together, but they finding the Countrey not to come in to them as was expected, and with their small numbers unable to resist the power of the Souldiers, who being advantageously quartered were ready to fall upon them from all parts, thought it the safest course to disperse, and return to their homes, yet many of them were taken, amongst whom was Sir Henry *Slingsby* of the *Tork-shire* party, who was committed prisoner to *Hull*, where he remained till he was for another pretended design sent up to *London* and beheaded: So that of all those risings at this time none made resistance but the *Salisbury* party who were yet pursued to *South Melton* by Capt. *Unton Crooke*, where they yielded, the chief of them, to wit, *Penruddock*, *Grove*, *Lucas*, *Thorpe* and *Kensley*, &c. prisoners upon Articles of Life and Estate, but *Crooke* most Infidel-like abjuring his Articles, the five afore-mentioned, with many others of less note, were made sacrifices to the *Protectors* cruelty, and many others, Gentlemen once of good Fortunes, sent to be slaves in the Western Plantations.

CHAP. CIII.

Pen and Venables Voyage to Hispaniola: Blakes Exploits in Barbary.

BUT that security in his Usurpation, which a Parliament as the Representative of the people denied by their consent to give, *Oliver Cromwell*, by his own force and power was resolved to create to himself, and make the Nation *volens* to submit to his Authority, wherein he had still such fortunate success, that none durst attempt the regaining of their liberty, or if they did, were sure with the attempt to lose both their lives and Estates, or at least subject them to the mercy of a merciless Tyrant, who though he might chance save some of their lives, yet would be sure to grasp whatever they had, that poverty might for the future keep them peaceable, yet finding that by the impoverishing of too many Families, he rendered several desperate, and who having nothing to lose but their lives, which in that miserable condition they were then in were a burthen to them, he thought it necessary to invent some way to be honourably rid of as many as he could of them. This it was supposed was his chief reason for undertaking that Expedition to *Hispaniola*, in which it was observed, he gave many Cavaliers commands, and either encouraged or forced others to go in meaner capacities. Long had the World wondered upon what Design hee was preparing those two mighty Fleets, which were then rigging, all the neighbouring Nations being jealous lest the storm might fall upon them; but so was the design obscured in the *Protectors* breast, that none could imagine which way it would burst forth, only the *Spaniard* had some probable surmizes that it would fall on his quarters, as appeared by his sending over the *Marques of Leda* as extraordinary Ambassador, to endeavour by all means possible to search into the depth of this grand secret; but he after a very short stay returned very little satisfied. Nor was the drift of it known in *England* publicly, till a good while after the Fleets set out, the first under General *Blake* sent to the *Straits*, the other about two moneths after (consisting of thirty ships, under the command of Vice-Admirall *Pen*, and about three thousand land souldiers, under General *Venables*, before this a Colonel in *Ireland*) set sail from *Portsmouth* directly for the *Barbadoes*, where the Generalls had order to break open their Commissions, and where with a prosperous gale of winde they arrived on the 29. of *January*, and for their better refreshment landing their men, endeavoured with

all

all diligence to hasten their design; two Frigots are sent to *St. Christophers* and *Mewis*, to raise more men, whilst the Generalls in the *Barbadoes* endeavour the compleating of their Regiments, gave order for the setting up of those shallops which were brought in quarters out of *England*, for the speedy trimming of their water cask, and in sum for fitting every thing convenient for some mighty entreprize. The Islanders servants encouraged that their time should run on as well in that in their masters service, coming in very willingly, and the Islanders at their owne charges setting forth a Troop of Horle: So that by the 31. of *March* 1655. they embarqued six thousand men, and six days after arriving at *St. Christophers*, took in thirteen hundred more; so that though the Fleet were augmented by eighteen sail of *Dutch-men*, which were made prize at *Barbadoes*, for trafficking there, contrary to the articles of Peace, yet were all the ships thronged as full as they could hold with men; but so ill stored with provisions, that considering those casualties that might happen to retard the Voyage, the store was scarce sufficient for half the number, as appeared afterwards, when they were forced to feed on those horles which the *Barbadoes* had let out for the expedition; from *St. Christophers* the whole Fleet steered their course directly for the Island of *Hispaniola*, and on the 13. of *April* came within view of *Santo Domingo*, the chief port of that Countrey, fortified and inhabited by the *Spaniards*, who upon the first view of so potent a Fleet, deserted their habitations, and fled into the Woods, leaving the Town with all in it as a prey to the *English*, had they been so hardy as to have taken the opportunity of sailing up, and possessing it. But the overmuch prudence of the *English* Generals, lost not only that conveniency, but in the end the whole hopes of ever gaining the Island with that force they there had; for fearful lest if they should sail up too nigh the Town, and endeavour to land their men, they might be too advantageously opposed by the *Spaniards* at their getting a shore, it was at a Council of War determined, that General *Venables* should the next day land with seven thousand foot, at the place where they were, which was ten or twelve leagues distant from the Town, and so advance towards it: according to this resolution, the next day taking three days provision for his men, on shore he goes, the souldiers expressing a great deal of courage and resolution in the entreprize, heartning one another with the vain hopes of whole mountains of gold which they promised themselves, and having already divided the rich prey among themselves: but being drawn to a Rendezvous on shore, their courage was soon cooled by a Proclamation from General *Venables*, strictly prohibiting any man upon the taking of *Santo Domingo* (which it seems he likewise made sure of) from presuming to plunder either money, plate or jewels, or take or kill any tame catel, upon pain of death. This made the souldiers hearts before light and jolly, out of hopes of gold, now as heavy as lead, for the imaginary loss of that which they had made so surely their own, so that they passed heavily along, not with half that vivacity, endured those straits in the passage as they would have done, had they been kept in hopes till they had come before the Town, when it would have been time enough to have forbidden plunder: yet indeed their straits were sufficiently grievous, for besides the uncessant labour of cutting their way through those thick Woods, and the parching heat of the Sun, which too plentifully bestowed her beams upon them, they found no other water then what they carried with them, their urin, so that two days and a half march in that excessive heat, without any liquor to quench their drougth, must needs much infeeble them, though they found no other opposition besides the Woods and the Sun, till they

The Civill Warres

joyned with Colonel *Bullards* Brigade, consisting of three Regiments of foot, landed by Admiral *Pen*, in a place appointed for the whole armies conjunction, on the side of a Bay, about two leagues from the Town, and somewhat convenient, in regard of a fresh-water River which there unladed it self into the sea. Now was the whole army (accounting those Regiments which had been framed out of the sea-men) at least nine or ten thousand men, beside the Troop of Horse (all they had) which was advanced by the Islanders of *Barbadoes*; but so faint and sickly they were, that they were hardly in a capacity to stand, much less to fight: but as they were, with an assurance of conquest, the General immediately led them towards the Town, a Forlorn-hope of about five hundred men being first led on by Captain *Cox*, chief guide for the place, after whom followed the main body of the army: their delays, and the knowledge the *Spaniards* had, how much so long and tedious a march would enfeeble the *English*, made them, who before had resolved to flee, now prepare for resistance; and accordingly when the army was come within four miles of the Town, they were charged by a party of Horse, who with their sharp and long launces fell in upon the Forlorn-hope, and drove them upon the next Regiment, which they likewise disordered, and had made a great slaughter amongst them, had not the whole army come up to their assistance: whereupon the *Spaniards* having received no considerable loss, retreated in very good order, having left fifty of the *English*, with Captain *Cox*, their chief guide, dead on the place.

This loss occasioned by the weaknes of his men, makes the General draw his men back to the fresh-water River, there to refresh and strengthen them, resolving still to prosecute the design to the utmost: and to that effect causing scaling-ladders to be made, and two small Drakes, with a Morter-piece, and Granado-shells to be landed from the Fleet; and at length having got all things in a readines, he once more adventured towards the Town, some guides having undertaken to lead them by a private way, so that they should not come nigh the Fort which the *Spaniards* had in the Wood, which was fortified with nine Guns, and three hundred resolute fellows to manage them: but whether there were such a private passage or no, most certain it is, that the guides missed it, and led the army directly to the place where the Fort stood, and where they had received their former disaster. Here the *Spaniards* (who had certain advice from the *Negroes* and *Molattoes* of the *English* motion) lay ready to receive them; and though they were not above seventy in number, yet lying undiscovered among the trees, they first gave a handsome volley upon the Forlorn-hope of the *English* army, and then rushing in with their Launces upon them, routed not only them, but likewise the Generals Regiment; and in sum, above half the army, who flying into the Rear, possessed their fellows with so much fear, that every man began to shift for himself, finding strength enough to run away, though they had neither that, nor courage enough to charge or turn back upon the enemy, who pursued them with an infinite slaughter, till weary of killing, they retreated with very small or no loss, carrying along with them seven *English* Colours as Trophies of their Victory, and leaving six hundred dead upon the place, three hundred wounded, and about two hundred, who flying into the Woods, were afterwards knockt on the head by the *Negroes* and *Molattoes*: but the greatest loss of all was the loss of that worthy Gentleman Major General *Haines*, who having used all possible industry to encourage his souldiers to fight, finding all his endeavours in vain, magnanimously sold his life at no cheap rate in the midst of his enemies; and he indeed

was the only person that made resistance : yet notwithstanding this great loss, the *English* army that night drew up to the *Spanish* Fort, planted a Drake, and made all things ready for a storm, when on a sodayn the next day, by what or whole reason instigated, I know not, they drew off again to the Bay, their old watering place; where being come, they were now in greater necessities then ever, being straitened now for want of provisions, so that they were forced to go out into the Woods to seek for food : but many of those who went out never returned, and others came home by weeping crows, being wounded and chased to their camp by the *Negroes* and *Malatoes*, so that at last they were forced to feed on the Hories of their Troop; and at length their necessities still increasing, they were imbarqued again, and on the third of May, with shame and loss, the whole Fleet set sail out of the port, steering their course towards *Jamaica*, an opposite Island; and on the tenth arriving in view of *Oristano*, the chief Town of it, had better success in the attempting of it, then they had against *St. Domingo*; for this they soon possessed, and began to plant, and high vapours of the greatnes of their Conquest in taking it, were sent into *England*; though all the world knows, that were the Island thrice as rich as it is, it could not half countervail the dishonor, blood, and treasure lost in the former Expedition : yet to inforce their possession here, twelve men of War with Colonel *Humphryes* Regiment of foot were sent from *England* in July 1655. shortly after which, one after another came the two Generals, *Pen* and *Venables*, dropping home; who for the good service they had done, were by the Protector sent to the Tower.

But though they were so unfortunate in this attempt, yet the brave exploit of General *Blake* in this other Fleet which went for the *Straits*, made some repair of the honor lost in this Expedition. The design of his sending thither, was to scour those seas of *Turkish* Pirats, who often made prize of the *English* Merchants ships and goods, and made slaves of their persons. *Blake* not having the hap to light on these at sea, gallantly resolved to seek them out in their ports, and there either to perswade them, or force them either to a restitution or Peace, on the tenth of March 1654. he arrived at *Algier*, the hithermost Harbour of those sea-thieves, and anchoring with his whole Fleet without the Mold, sends a Messenger to the *Dye*, or King, requiring restitution of such *English* ships as he had made prize of, vvith an immediate release of all such slaves as vvere of the *English* Nation under his power. The *Dye* knowing his inability to resist so potent a Fleet, immediately returns the Messenger vvith a rich present, and some store of fresh provisions, vvithall desiring him to acquaint the General, that the ships and captives already taken, vvere of particular men, and therefore it lay not in his power to restore them vvithout the general discontent of all his subjects : yet as for the *English* captives that vvere there, if he pleased to redeem them, he should, and he vvould set a reasonable price upon their heads. And if the General thought good they vvould conclude a Peace, and for the future offer no acts of violence to the *English*, nor to any of their ships and natives. This answer seeming sufficiently satisfactory to the General, a Peace vvvas concluded, the *English* captives being redeemed at one hundred dollars per man : and the General among other articles, making one very much tending to encourage *English* sea-men to sail in the ships of their own Nation, and dishearten from being hired by foreigners, for all *English*-men taken in foreign vessels, vvere to remain slaves till they payed their ransom of one hundred dollars per man; vvhereas if they kept in ships of their own Nation, they vvere free from being taken.

The Civill Warres

Having thus easily attained his desires here, he weighs Anchor and steers his course directly for *Tunke*, another receptacle for those Pirates, where their Port being better fortified, he found more resolute answers; for having likewise here sent a Messenger on shore to demand restitution of the ships, and release of the *English* Captives, he was absolutely denied it, and had withall this upbroiding answer sent him; That there were their Castles of the *Goletta*, and their Ships and Castles of *Porto Ferino*, let him do his worst, for he should not think to scare them with the sight of his Fleet: whereupon he resolved by force to reduce them to a better compliance, and in pursuance thereof, it was at a Council of War determined to fire their Ships in *Porto Ferino*, to which effect they manned their Ships with resolute Mariners, and sent them to the Harbour to assaule the Ships, whilst General *Blake* with his whole Fleet thundred whole broad sides upon the Castle to hinder them from damaging their Boats, whilst the Sea-men in them plaid their parts so resolutely, that they soon reduced them all (being in number nine) to ashes, and returned back with the losse of only twenty five men, and forty eight wounded: This action spread abroad the fame and gallantry of the *English* Nation all over those parts, and was looked upon by the people of those Countreys, who had seldom seen Ships fight with Castles, as little lesse then a desperate attempt.

But during these transactions of his Fleet abroad, the Protector had occasion offered him to exercise his Charity, *Charles Emanuel* Duke of *Savoy*, having cruelly murdered and massacred most of the Protestants in his Dominions, and driven the rest from their dwellings unto the Mountains, where many of them died for cold or hunger; they sent their Agents to beg relief of all Protestant Princes, who touched with a deep sense of their Brethrens miseries, were all willing to contribute money to their assistance. Nor would the Protector be backward in such a work, which he thought would make the world believe him truly pious; but he proclaimed a Fast, and desired a charitable Contribution throughout the Kingdom of *England* and *Wales*, whereby large sums of Money were raised, but that the least part of it was employed to that pious use for which it was intended, may appear since this very Parliament now sitting, found out that near eight thousand pound collected for that charitable purpose had been paid into the Exchequer, and otherwise employed by our usurping States-men, and therefore ordered the said sum to be again repaid by Monthely payments out of the Exchequer to be employed to that use for which it was first intended.

CHAP. CIV.

Major Generals constituted: Debates about Admission of the Jews: Open War with Spain, and Peace with France.

THE Protector never thinking himself sufficiently secure in his Government, invented a new *Chimera* to keep the people in awe, by setting over them such persons of his assured friends and confidants, whom he knew would for the enriching of themselves use all means possibly to depresse, impoverish and disable all such persons whom they knew were likely to continue loyal, or would upon occasion endeavour the Redeeming their Countrey from Tyranny and slavery; these were his Major Generals, eleven in number, amongst whom he divided *England* as it were into so many Provinces, where they under him might execute their petty Tyrannies; the persons were these:

Major

of Great Britain and Ireland.

381

1655.

Major Haynes for _____ { Essex.
Suffolk.
Norfolk.

Collonel Kelsey for _____ { Kent.
Surrey.

Collonel Goffe for _____ { Suffex.
Hampshire.
Barkshire.

Lieutenant General Fleetwood for _____ { Oxfordshire.
Buckinghamshire.
Hartfordshire.
Cambridgehire.
Isle of Ely.

Major General Skippon for the City of London.

Commissary General Whaley for _____ { Lincolnshire.
Notinghamshire.
Derbyshire.
Warwickshire.
Leiceſterſhire.

Major Butler for _____ { Northamptonſhire.
Bedfordshire.
Rutland and
Huntingtonſhire.

Collonel Berry for _____ { Worceſterſhire.
Herefordſhire.
Salop and
Northwales.

Collonel Wortley for _____ { Cheſhire.
Lancaſhire.
Staffordſhire.

Major General Lambert for _____ { Yorkſhire.
Durham Biſhoprick.
Cumberland.
Weſtmerland.
Northumberland.

Collonel

The Civill Warres

Collonel Barkestead for ——— {Westminster and
Middlesex.

Who in the Western Counties were reserved for, I cannot tell, the chiefest businesse in which these were employed, was the forcing the Kings loyal Subjects under the title of Delinquents, to pay the Decimation of their Estates for old offences; but the Protector having for a short time made use of them for this purpose, and either not finding such sums of money as he expected to come in that way, or else believing that they eclipsed his glory, soon took away their power again; but if this were a Machina to raise money, another far more probable soon after presented, the *Jews* who could never be permitted long to live in a well settled Monarchy, but always made their Markets in Commonwealths, finding *England* now to bear that denomination, and knowing how beneficial the engrossing of a Traffique here might be, tempt the Protector with two hundred thousand pound for their readmission, provided they might have *St. Pauls Church* for a Synagogue, which they likewise promised to repair; the offer of so much money wrought very strongly with his Highnesse, and made him look upon it as the cause of God, and a way now laid open for their promised conversion; he therefore desired a conference with several Ministers and others about it, to whom he declared his mind very zealously, alledging that since there was a promise that they should be converted, means ought to be used to that purpose, that the most probable, being the Preaching of the Gospel in truth and sincerity, as it was then in *England*, devoid of all Popish Idolatry, which rendered the Christian Religion odious to them; but both the Clergy and Laity so declaimed against them, that the *Hocus* would not take, for the Merchants foresaw, that should they come in, they would soon ingrosse the whole Traffique of the Nation into their own hands to the impoverishing of the Natives; and it was easily discernible that in these sickle times, when every mans fancy was his Religion, 'twas more probable that some of them should turn *Jews*, then that any of the *Jews* should be converted to Christianism.

But it concerned the Protector to set all Engines possible on work for the procuring of money to carry on the War he had engaged himself in against so potent an Enemy; for the *Spaniards* having received advice of the *English* assault upon *sancto Domingo*, and taking of his Island of *Jamaica*, had immediately made seizure of all the *English* Merchant Ships and Goods in his Ports, and immediately after an open War was proclaimed between the two Nations, to prosecute which, and be on the Offensive part, General *Blake* and *Montague* were with a potent Fleet commanded to block up the *Spanish* chief Port of *Cadix*, whither his Plate Fleet used yearly to come, hoping that at their coming home they might be intercepted; but here they lay a long time beating upon the Sea, and doing little else then endeavouring by exasperations to draw the *Spaniards* out of their Harbours to a fight, but they durst not venture, but rather permitted the *English* to insult before their Ports, till for want of Water and provisions they should be forced to depart; but contrary to the hopes of the *Spaniards*, who thought the *English* must have gone farther for those refreshments; they found out *Wyers Bay* in *Portugal*, from whence they could make quick returns with supplies; yet it happened that during their absence, having left only a Squadron of ships to ply up and down thereabouts; a part of the *Spanish* Plate Fleet, eight ships in number came, whom Captain *Swiner* Commander of the Squadron

The P

T
ping th

of Great Britain and Ireland,

383

1655.

Squadron espyed within a few Leagues of the Port, and being then to the Leeward, made what speed he could up to them, and in about two hours time in his own ship then called the *Speaker*, the *Bridge-water* and the *Plimouth* came up to them, and notwithstanding their inequality in number, immediately encountered them, and forced the Admiral, in which was the General *Don Marco del Portoto* run a shore in the Bay, the Vice-Admiral *Gallion*, commanded by *Don Francisco d'Esquevill*, in which was a Million and two hundred thousand pieces of Eight, and another ship commanded by *John Rodriguez Calderon* were fired; a Man of War with a Portugal Prize, and a small Vessel of Advice from the Vice-Roy of Mexico escaped into *Gibraltar*, but two others, the Rear-Admiral *Gallion* commanded by *Don Francisco del Hayo*, having in her two millions of Plate, and another ship commanded by *John De la Ferre* very richly laden, were taken and sent into *England*; the Vice-Admiral was set on fire by the *Spaniards* themselves, to prevent her being taken; in her was the Marquess of *Badoz* with his whole Family; he himself with his Wife and eldest Daughter (who was going into *Spain* to be married to the Duke of *Medina Celi*) perished in the flames; but his two sons, *Don Francisco de Lopez*, and *Don Joseph de Sunega*, and two Daughters, *Donna Josepha & Catalina*, with about ninety others were saved. It was reported by the young Marquess *Don Francisco de Lopez*, (who with his Brother and Sisters were brought up to *London*, and there sometime detained prisoners) that about five Months before the Cities of *Lima & Caloa* in *Peru*, had been destroyed by an Earth-quake and Fire raining from Heaven, by which there perished above eleven thousand *Spaniards* and not above one hundred *Indians*; and that likewise by that Earth-quake the Mountains of *Potosi* being levelled, the Gold and Silver Mines were utterly destroyed.

The Prisoners taken in this fight, were after a short detainment dismissed by the Protector without ransom: Though the profit received by the prizes did not at all lessen the Imposition on the *English*, as will hereafter appear; this breaking into open War with *Spain*, made the Treaty with *France* go on more vigorously than before, it had long been solicited by Cardinal *Marazin*, and the King of *England* fore-seeing that it would at length come to a conclusion, had wisely withdrawn himself, and departed out of that Kingdom into *Germany*, to prevent the Ceremony of a complemental Expulsion; but his Brother the Duke of *York* stayed till such time as the peace was fully concluded, by reason of his Command in the *French Army*, when he had a short time given him to depart, and accordingly went into *Flanders*, whither his Brother the King had by the Count of *Fuesfeldagne* on the behalf of the King of *Spain* been invited. The chief end of the agreement with *France*, was to prosecute the War by Land in *Flanders*, to which purpose six thousand Foot were sent over thither, under the command of Commissary-General *Reynolds*, where what they did, more hereafter.

CHAP. CV.

The Protectors Second Parliament. Petition and Advice. The other House nominated. Parliament dissolved. Blakes Victory at Sancta Cruz.

Though the last Parliament had so little answered the Protectors desires, either of confirming him in his Government, or of raising moneys for its support, yet hoping that another might do what the first had denied, he issues out his Writs for the summoning

1656.

summoning one to convene on the 17. of September 1656. And remembering the speeches and carriages of many Members of the late Parliament, he gave secret advice to the Sherifffes of the severall Counties, to hinder, if possible, their being chosen: but though in some places this advice took effect, yet in the most the people chooing according to respect, it proved fruitles: however, the Parliament on the day appointed, convened; but before they were permitted to enter the Houle, they were enforced to subscribe a Recognition, as those before them had done, *That they would aſſ nothing prejudiciall to the Government as eſtablished by a Protector.* Whereupon many Members chose rather to returne home, but the major part signing the Recognition, entred the Houle; and choosing Sir Thomas Widdrington for their Speaker, began to act ſuitable to his Hignels wiſhes and deſires. For firſt, to ſecure him from all attempts that might be made upon his perſon, they paſſed an Act making it High Treason to attempt, compaſſ, or imagine the *Protectors* death. And for the better ſecuring of him in his Government, they paſſed another, renouncing and diſannulling the Title of *Charles Stuart*, (ſo ſtyled they their lawfull King) unto the Dominions of *England, Scotland* and *Ireland.* They likewiſe paſſed ſeverall Acts for raiſing money, for the more effectual ſupply of the *Protectors* neceſſities, and carrying on the Warre againſt *Spain*; as firſt, an Act for an Aſſeſſment of ſixty thouſand pound a moneth upon *England*, to continue three moneths. Another on *Scotland*, for the ſame time, at five thouſand pound a moneth, and the ſame on *Ireland.* But for the more continued ſupply, there was another Act paſſed, for thirty five thouſand pound a moneth for *England*, ſix thouſand pound a moneth for *Scotland*, and nine thouſand pound a moneth for *Ireland*, to be paid for three whole years then next enſuing. Nor were theſe wanting to grant that to the Protector, which the Long Parliament had in a manner abſolutely denied to the late King, *viz.* The receipts of runnage and poundage: Nor was all this ſufficient, but other Machinaes were ſet on work, for the raiſing of moneys, as the reviving of that Act prohibiting the multiplicity of buildings in and about the City of *London*, or within ten miles of it; and a whole years revenue was by this new Act to be immediately paid for all Dwelling or Out-houſes which had been built upon new foundations ſince the year 1620. By this vaſt ſums of money were brought in, and all that not thought enough; but a new Act for Exciſe upon merchandize imported, was made, Hobby-horſes, Childrens Rattles, and old ſhirts, not excepted. Theſe with four others, as one for the exportation of ſeveral commodities, of the breed, growth and manufacture of *England*: Another for the taking away the Court of Wards and Liveries, &c. were at one time preſented to the Protector, to be by him confirmed; who at the time of his paſſing them, expreſſed his thanks to the Parliament, in this ſhort Speech:

I perceive that among theſe many Acts of Parliament, there hath been a very great care had by the Parliament to provide for the juſt and neceſſary ſupport of the Commonwealth, by theſe bills for levying money, now brought to me, which I have given my conſent unto: And underſtanding it hath been the practice of thoſe who have been the chief Governours, to acknowledge with thanks to the Commons, their care and regard of the publick, I do very heartily and thankfully acknowledge their kindneſs herein.

But ſtill the greateſt matter of all was to do, *viz.* The confirming the Protector in his power

of Great Britain and Ireland.

- 385

1657.

power : This had been long debated, and was almost concluded on ; when a paper was ushered into the House, desiring he might have his Title advanced from Protector to King. Whereupon a Grand Committee of the Parliament were appointed to conferre with him about it, where many speeches were made, and arguments uled to perswade him to accept that Title, as a thing more adaequate to the Laws of the Nation. But *Lambert*, and the rest of the chief Officers of the army, who all expected to be petty Kings after him, expressing their dislike of his acceptance of that Title, he durst not venture to do it ; and therefore after many tedious disputes had concerning it, he at length in the *Painted Chamber* told the Parliament, That he could not accept of the Government under the Title of a KING. Whereupon they voted *Protector*, should be the Title of the chief Magistrate ; and immediately after a Committee was sent to desire a conference with his Highness, who accordingly on the 25. of May 1657. met the Parliament in the *Painted Chamber*, where Sir *Thomas Widdrington* Speaker presented him the Petition and Advice, to which they desired his assent, the substance of which was :

That his Highness *Oliver Cromwell*, would under the Title of *Protector*, be pleased to execute the Office of chief Magistrate over *England, Scotland and Ireland*, and the Territories and Dominions thereunto belonging, &c. and to govern according to all things in that Petition and Advice ; and also that he would in his life time appoint the person that should succeed him in the Government. That he would call a Parliament consisting of two Houses once in a year at farthest. That those persons who are legally chosen by a free election of the people to serve in Parliament, may not be excluded from doing their duties, but by consent of that House whereof they are Members. That none but those under the qualifications therein mentioned, should be capable to serve as Members in Parliament. That the power of the other Houses be limited as herein prescribed. That the Laws and Statutes of the Land be observed and kept, no Laws altered, suspended, abrogated or repealed, or new Laws made by Act of Parliament. That the yearly sum of a million of pounds sterling be settled for the maintenance of Navy and Army, and three hundred thousand pounds for support of the Government, besides other temporary supplies, as the Commons in Parliament shall see the necessities of the Nation to require. That the number of the *Protectors* Council shall not be above twentie one, whereof the *Quorum* shall be seaven. The chief Officers of State, as Chancellours, Keepers of the Great Seal, &c. to be approved by Parliament. That his Highness would encourage a godly Ministry in these Nations, and that such as do revile and disturb them in the Worship of God, may be punished according to the Law ; and where Lawes are defective, new ones to be made. That the Protestant Christian Religion as it is contained in the Old and New Testament, be asserted and held forth for the publique profession of these Nations, and no other, and that a Confession of Faith be agreed upon, and recommended to the people of these Nations, and none to be permitted by words or writings to revile or reproach the said Confession of Faith.

This Petition and Advice being read to his Highness, he with a seeming reluctance passed it, and then told the Parliament,

That he came not thither that day as to a Triumph, but with the most serious thought that ever he had in all his life, being to undertake one of the greatest burthens that ever was laid upon the back of any humane creature ; so that without the support of the Almighty he must necessarily sink under the weight of it, to the damage and prejudice of

Ccc

these

The Civill Warres

these Nations : That this being so, he must ask the help of the Parliament, and the help of all those that fear God, that by their prayers he might receive assistance from the hand of God, seeing nothing but his presence could enable him to the discharge of so great a trust : That seeing this is but an Introduction to the carrying on of the Government of these Nations ; and so far as there were many things which could not be supplied with help of Parliament, he thought it his duty to desire their help, not that he doubted of it, for he believed that the same Spirit that led the Parliament to this, would easily suggest the rest to them : That nothing should have induced him to have undertaken this intolerable burthen to flesh and blood, had he not seen it was the Parliaments care to answer those ends for which they were engaged, calling God to witness, that he would not have undergone it, had he not saw it to be determined by the Parliament to make clearly for the liberty and interest of the Nation, and preservation of such as fear God, and that if these Nations be not thankfull to them for their care therein, it would fall as a sin on their heads. To conclude, he recommends to them other things which would tend to Reformation, and the discountenancing of Vice, and encouragement to good men and Vertue, desiring them that they would not be wanting in any thing that might make for the good of the Nation : So wishing the Lord to prosper their endeavours, ends.

This speech finished, the Members were for the present dismissed to their House ; but few days after they received a message from the Protector, desiring or rather requiring them to adjourn till such time as his Inauguration could be solemnized, which was performed on the six and twentieth of June, in *Westminster-Hall*, where a Fabrick was erected for that purpose, and a Chair of Estate placed for his Highness : Nor did the State want any thing but a Crown to make it Regall, for first the Earl of *Warwick*, the Lord *Whilock* and the Speaker, vested him with a rich Robe of Purple Velvet lined with Ermines : Then the Speaker presented to him a large Bible with Bosses and Clasps, richly gilt : Next he girt a Sword about him, and last of all he gave him a Scepter of Massie Gold, in conclusion making a large speech descanting upon every one of those four Emblems as Government which he presented him with ; after which the following Oath was administred to the Protector.

I do in the presence and by the Name of Almighty God promise and swear, That to the uttermost of my power, I will uphold and maintain the true Reformed, Protestant, Christian Religion, in the purity thereof, as it is contained in the holy Scriptures of the Old and New Testament, to the uttermost of my power and understanding, and encourage the profession and professors of the same ; and that to the utmost of my power I will endeavour as chief Magistrate of these three Nations, the maintenance and preservation of the peace and safety, and just Rights and Priviledges of the people thereof, and shall in all things according to my best knowledge and power, govern the people of these Nations according to Law.

After the Administration of this Oath, the Proclamation of the Protector followed, first in *Westminster-Hall*, then in the *Palace*, next throughout *London*, and afterwards in all usual places in *England*, *Scotland* and *Ireland*. Thus had *Cromwell* now perfected his main design, of having his power confirmed by Parliament ; he had before strengthened himself by Leagues with foreign Princes, his next care now was the advancing of his Children : His eldest Son *Richard*, whom he had designed his Successor in the Protectorship, was sent for to his Court, and soon after by the University of *Oxford* elected

ele
kall
lan
his
ters
man
wich
by h
bria
L
was
Hou
the
next
of f
Dev
Son
then
the C
to ev
to ou
same
charg
wher
he en
learn
Parli
the fo
wife p
Brid
TH
come,
their p
comin
quaint
Chair
would
Gener
accord
legally
ment, i
had for
extre
ing to h
angry a
and

elected their Chancellour, with which honour he was installed very solemnly at *Whitehall*: His second son *Henry* he invested with the power of Lord Lieutenant of *Ireland*, in the place of his son-in-law *Fleetwood*, whom (out of a pretence of the want of his presence and counsell) he sent for home. Nor was his care to advance his Daughters (of which two were unmarried) wanting: the eldest of which, named *Frances*, was married to Mr. *Robert Rich*, Grandchilde to the Earl, and heir to the Earldom of *Warwick*: but he not many Moneths after deceased, nor was he survived above two moneths by his Grandfather: His youngest daughter *Mary*, was married to the Lord *Falconbridge*. These Nuptials were solemnized with a great deal of pomp.

But in this time of the Adjournment of the Parliament, another more serious affair was to be acted by the Protector, to wit, the nominating of persons to sit in the other House, whom he chose for the most part out of such persons as either were Officers of the Army, or other wayes certainly fixed to his Interest. But before we proceed to the next Session of this Parliament, it will not be impertinent to relate the memorable trial of *James Nayleur*, which happened in the first: This fellow was a person whom the Devil had so far insatuated, as to perswade him into a belief that he was the Messiah, the Son of God; for which horrid blasphemy, he was first apprehended at *Bristol*, and from thence sent up to *London*, many of his Sect (for he was at first a grand Ring-leader of the Quakers) accompanying him up to *London*, and being reported at the entrance into every Town to have sung *Hosanna's* to him, using such expressions as the people did to our Saviour when he rode triumphant into *Jerusalem*, nor did they forbear to do the same at their entrance into *London*: Being convented before the Parliament, he was charged with many horrid Blasphemies both in opinion and practice, and being asked whether he had said that he was the *Messias*, he answered, *Thou say'st it*; yet afterwards he endeavoured by many cunning evasions, and such as shewed him not altogether unlearned, to clear himself, but the evidence being too clear against him, he was by the Parliament sentenced to be first publicly whipt, pillored and stigmatized with a *B*. in the fore-head as a Blasphemer at *London*, then to be carried to *Bristol*, and there likewise publicly to be whipt, and from thence returned to *London*, and there to remain in *Bridewell* during the Parliaments pleasure, which sentence was accordingly executed.

The twentieth of *January*, the time to which the Parliament was adjourned, being come, they again sat, the persons nominated by *Cromwell* for his other House, taking their places in the House where formerly the House of Peers sat, and the Protector coming thither, sending the Usher of the Black-Rod to the House of Commons, to acquaint them of his being there, they immediatly came, and *Cromwell* sitting under his Chair of State, made a large speech to them, concluding with telling them, *That if they would continue to prosecute his designs, they should be called The Blessed of the Lord, and Generations to come would bless them*. But the Parliament being come into the House, according to the third Article of the *Petition and Advice*, which says, *That no Members legally chosen, should be excluded from performance of their duty, but by consent of Parliament*, immediatly proceeded to the calling over & re-admitting of those Members which had formerly been secluded by the Protector; for refusing to sign his Recognition, which extremely displeased him, who foresaw that now there would be little hopes of their acting to his mind: Nor was it otherwise then he expected, for they immediatly began to be angry at that new House which he had set over the, as esteeming it a thing made on purpose

The Civill Warres

these Nations : That this being so, he must ask the help of the Parliament, and the help of all those that fear God, that by their prayers he might receive assistance from the hand of God, seeing nothing but his presence could enable him to the discharge of so great a trust : That seeing this is but an Introduction to the carrying on of the Government of these Nations ; and so much as there were many things which could not be supplied with help of Parliament, he thought it his duty to desire their help, not that he doubted of it, for he believed that the same Spirit that led the Parliament to this, would easily suggest the rest to them : That nothing should have induced him to have undertaken this intolerable burthen to flesh and blood, had he not seen it was the Parliaments care to answer those ends for which they were engaged, calling God to witness, that he would not have undergone it, had he not saw it to be determined by the Parliament to make clearly for the liberty and interest of the Nation, and preservation of such as fear God, and that if these Nations be not thankfull to them for their care therein, it would fall as a sin on their heads. To conclude, he recommends to them other things which would tend to Reformation, and the discountenancing of Vice, and encouragement to good men and Vertue, desiring them that they would not be wanting in any thing that might make for the good of the Nation : So wishing the Lord to prosper their endeavours, ends.

This speech finished, the Members were for the present dismissed to their House ; but few days after they received a message from the Protector, desiring or rather requiring them to adjourn till such time as his Inauguration could be solemnized, which was performed on the six, and twentieth of June, in *Westminster-Hall*, where a Fabrick was erected for that purpose, and a Chair of Estate placed for his Highnesse : Nor did the State want any thing but a Crown to make it Regall, for first the Earl of *Warwick*, the Lord *Whilock* and the Speaker, vested him with a rich Robe of Purple Velvet lined with Ermines: Then the Speaker presented to him a large Bible with Bosses and Clasps, richly gilt: Next he girt a Sword about him, and last of all he gave him a Scepter of Massie Gold, in conclusion making a large speech descanting upon every one of those four Emblems as Government which he presented him with ; after which the following Oath was administred to the Protector.

I do in the presence and by the Name of Almighty God promise and swear, That to the uttermost of my power, I will uphold and maintain the true Reformed, Protestant, Christian Religion, in the purity thereof, as it is contained in the holy Scriptures of the Old and New Testament, to the uttermost of my power and understanding, and encourage the profession and professors of the same ; and that to the utmost of my power I will endeavour as chief Magistrate of these three Nations, the maintenance and preservation of the peace and safety, and just Rights and Priviledges of the people thereof, and shall in all things according to my best knowledge and power, govern the people of these Nations according to Law.

After the Administration of this Oath, the Proclamation of the Protector followed, first in *Westminster-Hall*, then in the *Palace*, next throughout *London*, and afterwards in all usual places in *England*, *Scotland* and *Ireland*. Thus had *Cromwell* now perfected his main design, of having his power confirmed by Parliament ; he had before strengthened himself by Leagues with foreign Princes, his next care now was the advancing of his Children : His eldest Son *Richard*, whom he had designed his Successor in the Protectorship, was sent for to his Court, and soon after by the University of *Oxford* elected

elected their Chancellour, with which honour he was installed very solemnly at *White-hall*: His second son *Henry* he invested with the power of Lord Lieutenant of *Ireland*, in the place of his son-in-law *Fleetwood*, whom (out of a pretence of the want of his presence and counsell) he sent for home. Nor was his care to advance his Daughters (of which two were unmarried) wanting: the eldest of which, named *Frances*, was married to Mr. *Robert Rich*, Grandchilde to the Earl, and heir to the Earldom of *Warwick*: but he not many Moneths after deceased, nor was he survived above two moneths by his Grandfather: His youngest daughter *Mary*, was married to the Lord *Falconbridge*. These Nuptials were solemnized with a great deal of pomp.

But in this time of the Adjournment of the Parliament, another more serious affair was to be acted by the Protector, to wit, the nominating of persons to sit in the other House, whom he chose for the most part out of such persons as either were Officers of the Army, or other wayes certainly fixed to his Interest. But before we proceed to the next Session of this Parliament, it will not be impertinent to relate the memorable trial of *James Naylour*, which happened in the first: This fellow was a person whom the Devil had so far infatuated, as to perswade him into a belief that he was the Messiah, the Son of God; for which horrid blasphemy, he was first apprehended at *Bristol*, and from thence sent up to *London*, many of his Sect (for he was at first a grand Ring-leader of the Quakers) accompanying him up to *London*, and being reported at the entrance into every Town to have sung *Hosanna's* to him, using such expressions as the people did to our Saviour when he rode triumphant into *Jerusalem*, nor did they forbear to do the same at their entrance into *London*: Being convented before the Parliament, he was charged with many horrid Blasphemies both in opinion and practice, and being asked whether he had said that he was the *Messias*, he answered, *Thou say'st it*; yet afterwards he endeavoured by many cunning evasions, and such as shewed him not altogether unlearned, to clear himself, but the evidence being too clear against him, he was by the Parliament sentenced to be first publicly whipt, pillored and stigmatized with a B. in the fore-head as a Blasphemer at *London*, then to be carried to *Bristol*, and there likewise publicly to be whipt, and from thence returned to *London*, and there to remain in *Bridewell* during the Parliaments pleasure, which sentence was accordingly executed.

The twentieth of *January*, the time to which the Parliament was adjourned, being come, they again sat, the persons nominated by *Cromwell* for his other House, taking their places in the House where formerly the House of Peers sat, and the Protector coming thither, sending the Usher of the Black-Rod to the House of Commons, to acquaint them of his being there, they immediately came, and *Cromwell* sitting under his Chair of State, made a large speech to them, concluding with telling them, *That if they would continue to prosecute his designs, they should be called The Blessed of the Lord, and Generations to come would bless them*. But the Parliament being come into the House, according to the third Article of the *Petition and Advice*, which says, *That no Members legally chosen, should be excluded from performance of their duty, but by consent of Parliament*; immediately proceeded to the calling over & re-admitting of those Members which had formerly been excluded by the Protector; for refusing to sign his Recognition, which extremely displeased him, who foresaw that now there would be little hopes of their acting to his mind: Nor was it otherwise then he expected, for they immediately began to be angry at that new House which he had set over the, as esteeming it a thing made on purpose

1657.

pose to mock them, & judging it strange, that those who were created by them, & received their power from the Commons votes, should not have a negative voice over them who were their makers. Nor did they stay here, but they began likewise to question the power and authority of the Protector, in calling them to sit as Peers: which the Protector being advertised of, knowing the ticklishness of his title, not able to endure handling, on the 20. of February went to his pageant Houle of Lords, and sending the Usher of the Black Rod to acquaint the Commons of his being there, who with their Speaker repaired to him, when from under his chair of Estate he told them, at the conclusion of a longer Speech, *That it concerned his interest, as much as the publique peace and tranquillity of the Nation, to dissolve that Parliament, and therefore he did put an end to their sitting.* So according to his demands the Houle immediately departed.

During the first Session of this Parliament, happened that noble exploit (not at all inferior, if not somewhat superior to what formerly done at Tunis) of General Blake, performed upon the Spanish Armado at *Sancta Cruz*, in the Island of *Teneriffa*, the chief of the *Canaries*: Hither Blake received advice that the Spanish Plate-Fleet, coming from the *West-Indies*, and hearing of the English blocking up their ports, were fled for shelter, hoping to secure themselves under thole strong Forts and Castles: but how secure soever they thought themselves, the English were resolved to attacke them, and on the 20. of April 1657. came to the mouth of *Sancta Cruz* Bay, where they espied the Spanish ships, sixteen in number, lying in an order almost semi-circular, the smaller ships being moored alongst the shoar, and the six great Gallions further off at sea, with their broad sides towards the Offing; and besides the ships lying in this posture of defence, there was a strong Castle well furnished with guns, and six or seven small Forts; with four, five and six pieces of Ordinance a piece, placed in the most advantageous places of the Bay, yet thole difficulties notwithstanding, it was resolved to assault and burn the Fleet: and in order thereto, Captain *Stainer* in the *Speaker*, was commanded with a Squadron to fall upon the Gallions, which without regarding the numberless shot powred at him from the Forts, he resolutely did, maintaining near an hours fight, whilst the two Generalls *Monague* and *Blake* (having ordered some Frigots to pley the Forts and breast-works with continued broad-sides, to obstruct their firing upon them) came up with the rest of the Fleet; and after four hours stiffe fight resolutely maintained on both sides, for that time drove the Spaniards out of their ships, which though now possessed by the English, yet could not be brought off, and were therefore by them fired, not one of them elcaping: yet in the whole fight the English were said to have lost no more then forty-eight men, and about one hundred and twenty wounded. But the Spaniards, besides such as were lost in the Fleet, had many of their men slain on the shoar by their great shot, so that it is impossible to give an absolute account of their los of men. For this service the Parliament sent General Blake a Diamond ring worth five hundred pound, and Captain *Stainer* who led on the first Squadron, was for this, and his former service, Knighted at his coming home. But this was the last service that General Blake performed at sea, for not long after sickning, he steered homeward, and at the entrance into the Sound of *Plymouth*, gave up the ghost: His body was from thence brought to *Greenwich*, and from thence by water coveyed to Henry the seventh's Chappel at *Westminster*, where it was interred; but no Monument erected over it, but what his famous acts had reared to himself. He was without doubt one of the most experienced and valiant sea-

Captains

Captains of his time, and a man who only looked after the affairs of his charge; for when he heard of any change or revolution of Government in England, he used to say : *Let us look after our own business, which is not to let Foreigners fool us, and let them do what they will at home.* Not long after him died likewise Captain Badiley, who had been sometime Vice-Admirall of the Fleet, famous for nothing that ever I heard of, but for the not coming up to the assistance of those men of Warre and Merchants ships, which were taken, sunk or fired by the Dutch before *Livorne*.

CHAP. CIV.

Dr. Hewit's and Sr. Henry Slingsby's death. Dunkirk taken.

ON the 12. of March 1657. soon after the dissolution of the last Parliament, the Protectors Agents having enticed some persons into a design; or he having pitched upon some persons whom he resolved to make culpable of High Treason against him, to preoccupy the City with the truth of what was to be found out; his Highness sends for the Lord Major, Alder-men and Common Council of the City of London: who being come, he entertains them with a large Speech, desiring them to consider of the imminent danger of the Common-wealth, by reason of the secret plots and machinations of such as were ill-willers to his Government, both at home and abroad: That the Marquels of Ormond had been lately for three weeks together in London, promoting the Kings affairs. That the King lay ready with an army of eight thousand men, and two and twenty hired ships to transport them upon the coast of Flanders: and that there were several ill-affected persons about the City who indeavoured secretly to put themselves in arms, and imbroil the Nation in a War; and therefore to prevent what might happen, he recommended it to their care to settle the Militia, in such hands as might be trusted in. The City accordingly made a great deal of haste in performing his commands, the Militia was soon settled; and the Protector to make the fears the greater, placed double guards in the Tower, and other places; when all men wondering what might be the reason of these proceedings, on a sodain the enemy against whom all these preparations were made, was found out to be Dr. Hewit, a reverend Divine and Minister of St. Gregories Church by St. Pauls, and some other persons about London, who were to have seized the City, the Mews and the Tower, and done other strange and wonderful things there, whilst Sir Henry Slingsby, from a prisoner in Hull Castle, must secure both that, the Town and Magazine for the King: but before this was ripe (not unlikely before it was thought of by the persons taken) it was miraculously discovered; Dr. Hewit and several other persons sent to the Tower, which they should have surprized, and Sir Henry Slingsby sent from his prison of Hull Castle, where he had remained ever since the rising determined in York shire, when Wagstaffe and Penruddock took arms in Dorsetshire, and was the first brought to his tryal before the High Court of Justice, effected that moneth on purpose for the tryal of those persons then apprehended, where he had both his witnesses and Judges enemies, and therefore could not reasonably expect any better justice then he had, to be sentenced to be hanged; drawn and quartered as a Traytor. Next after him was Dr. Hewit brought to his tryal, who refusing to own the Jurisdiction of that Court, pleading for the Liberties of the people, and the Laws of the Land; demanding whether that Court were according to Law? Whether it were according to the Act? which he appealed

The Civill Warres

appealed to have argued by learned Lawyers on both sides, and then determined by the Protector's own Council; or otherwise, if that could not be granted, he would condescend to plead, if the Judges would give singly their several judgements that that was a lawful Court of Judicature: but that being likewise denied, and he for three dayes having waved answering to his charge, was the third time sentenced as mure: the particulars of his charge were, That he had designed to set the City of London on fire, raise force, to seize the *Mews* and the *Tower*: that he had harboured and concealed the Lord *Ormond*: and that he had been at *Brussels* or *Bruges* in *Flanders*, and their received commissions from the King, all which the Doctor denied on the scaffold; nor indeed was there any witness against him, but one *Mallory*, and one *Bishop*, two who were, as they confessed, engaged in such a design, but persons whom the Doctor professed, that to his knowledge he never saw. He and Sir *Henry Slingsby* had the favour to be beheaded on *Tower-Hill*; Mr. *John Mordant*, brother to the Earl of *Peterborough*, was likewise tryed; he at first disavowed the authority of the Court, but afterwards being perswaded to plead, was acquitted: but there suffered three others, to wit, Colonel *Edward Ashton*, who was hanged, drawn and quartered at *Mark-lane* end: *Edmund Stacy*, who suffered the same death in *Cornhill*, and *John Bennet*, who was executed in the same manner in *Cheapside*: some others were condemned, but reprieved, amongst whom was that *Mallory*, who was the chief witness against Doctor *Hewit*.

But let us leave the Protector thus exercising his Tyranny in *England*, and pass over into *Flanders*, to see how his armies, which by private capitulation, were to be sent over to assist him in that War prospered all this while. The force sent over, consisted only in infantry, six thousand in number, of whom Sir *John Reynolds*, (a person knighted by the Protector) formerly Commissary General in *Ireland*, was made Commander in chief; these joyning with the *French* army, were first assistant to them in the taking *Montmedy* and *St. Venant*, and not long after they took the strong fort of *Mardike*, which according to articles was delivered into the possession of the *English*, (for both this place and *Dunkirk*, were by agreement to be besieged by the confederate forces, and being taken, to be delivered into the possession of the *English*) Major General *Morgan* being made Governour of it, who took such care in fortifying it, that he rendered it almost impregnable; notwithstanding which the *Spaniards* knowing of how much importance this place was to the keeping of *Dunkirk*, sent a body of horse and foot, amongst which were two thousand *English* Reformadoes, under the Duke of *York* to regain it, who made two very desperate storms upon it, the last continuing six hours, but were both times repelled, and forced to return with loss. In the mean time the armies being disposed in their Winter Quarters, Sir *John Reynolds*, Colonel *White*, and others, coming over in a shallop to wait upon the Protector, were by a storm cast upon the backside of the *Goodwin* sands, and there all lost: however the business went forward next Spring; for *Lockhart* Ambassador from the Protector to the King of *France*, being confined General over the *English* forces, the confederate armies closely beleaguered the City of *Dunkirk*; which Don *John d' Austria* knowing to be a place of great importance, is being one of the chief Sea-ports to, and as it were the key of *Flanders*, endeavoured to raise all force he possibly he could, to relieve, resolving by the hazard of a pitch-field, to adventure the raising of the siege, and driving the enemy from before the walls; to which purpose draining his other garrisons, he composed an army of about sixteen thousand horse and foot, which

Don

of Great Britain and Ireland.

391

1658.

Don John himself in person (accompanied with the Duke of *York*, the Prince of *Conde*, and the Marquis of *Caracene*) commanded, and by a swift march came through *Fuernes*, and encamped within a mile and a half of the *French* Camp: The *Marshal of Turain* having advice of their approaches, immediately drew out of the Camp with the *English* Infantry, under the command of *Lockhart*, joyned with him; and making in all about fifteen thousand horse and foot, marched all that night, with resolution to engage the *Spaniards* next morning, which accordingly they did, the *English* Infantry being drawn up in four battalions, giving the first charge upon five great battalions of the *Spanish* foot, who were placed very advantageously upon a rising ground: Though the *Spaniards* stood at first very stiffly to it, and poured down their shot like hail upon the *English*, (by one of which Lieutenant Colonel *Fenwick*, who led on *Lockhart's* own Regiment, was slain) yet were they at length forced to quit their ground, and soon after totally routed by the *English*, without any assistance of the *French*, and the *Spaniards* horse seeing their infantry defeated, immediately left the field, when the *French* Cavalry pursued them as far as *Fuernes*. so that in the fight and pursuit there were slain of the *Spaniards* two thousand men, and about fifteen hundred taken prisoners, and their whole army disordered and scattered. The victory thus gained, the confederate forces returned to the siege of *Dunkirk*, where notwithstanding the besieged were now without all hopes of relief; yet to show they were not wholly disheartened, made a strong sallie upon the besiegers, at their resisting, the Marquis of *Leda* himself leading forth his souldiers, where he received his death's wound; so that though the besieged were not quite discouraged at the loss of the army that came to their relief, yet now having lost their Governour, their hearts were quite dead, being wearied and affrighted likewise at the continual throwing in of *Granado's* into the Town from the Confederates Camp, so that fourteen dayes after the fight, despairing of any succour, they beat a parley, which being accepted, a Surrendry was made upon these conditions:

“ That the Town should be delivered up with all their great Guns, store of Victuals, Magazine of Arms and Ammunition, without any imbezlement whatsoever; That the Officers and Souldiers should march out with Drums beating, Colours flying, two piece of Ordinance and their Baggage: That they should have free liberty to march to *St. Omers*, with a party to convoy them thither: That the Inhabitants should remain indemnified in their persons and Estates; and enjoy their former privileges for two years; nor should any be molested in any matters of Religion.

These Articles being confirmed by the King of *France*, his Majesty in person accompanied with the Cardinal and other Nobility of *France*, took possession of it on the 25. of *June*, 1658. and immediately delivered it according to the agreement into the possession of the *English*; his Majesty of *France* from hence going to *Calice*, where he for some time resided, whither the Lord *Falconbridge* was sent from the Protector to complement with him and the Cardinals, and in return of the civility Monsieur *Manant*, Nephew to the Cardinal, and the Duke of *Cregui* were sent to give the Protector a visit, who entertained them with sufficient splendor: In the mean time, for the better strengthening of the City of *Dunkirk*, a Regiment of Horse was raised and sent over to *Lockhart*, who was made Governour of it, and who for the better securing his possession of it, had caused proclamation to be made;

“ That whatsoever Burger had withdrawn himself out of the Town out of hatred or aversion

The Civill Warres

“aversion to the present Government, should not return without satisfaction given, and
 “a Passport from the Governour. That no Burger remaining in the Town should go
 “out, or any abroad return without a Passport. That no Burger should entertain an
 “Enemy in his house without disclosing him, on pain of being proceeded against as an
 “Enemy. That whosoever should conceal in his house any Arms, Ordinance or Am-
 “munition, should upon discovery pay ten times the value. That no Inne-keeper
 “should receive or lodge any Guests or strangers, without bringing their names and qua-
 “lities immediately to the Governour. That no man should remove or convey any
 “goods out of the Town, without giving a particular list thereof, and having license
 “to do so. That no Tradesman should open shop on Sunday; and that no punishment
 “should be inflicted for following their Calling on other Holy-dayes, notwithstanding
 “any power or custom to the contrary.

Together with these Orders, he likewise in this Declaration prescribed the values of
 Money, with the prices of Wine, Beer, Bread and Flesh, prohibiting any man to
 transport Wine or Beer, under several penalties; nor did he think these Injunctions suf-
 ficient for the security of the place, but likewise imposed upon the Inhabitants the follow-
 ing Oath.

“I *A. B.* do in the presence and by the Name of Almighty God, promise and swear,
 “that I will bear Faith and true Allegiance, and shall be true and faithfull unto *Oliver*
 “now Lord Protector of the Commonwealth of England, Scotland, and Ireland, and
 “the Dominions and Territories thereunto belonging, and his Successor, as chief Ma-
 “gistrate thereof; and shall not design, contrive, or attempt any thing against the per-
 “son or Authority of the Lord Protector, or against the Safety, just Defence and ne-
 “cessary Preservation of this Town or place of *Dunkirk*, in, and for its safety, defence
 “and preservation under the Government of the Lord Protector and his Successors, a-
 “gainst all conspiracies and attempts whatsoever, and will do my best to make known
 “and disclose unto the Protector and his Successors, or the Commander in chief of this
 “place under his said Highnesse for the time being, all Treasons and traitorous conspi-
 “racies which I shall know, or hear of, to be against his Person or Authority, or against
 “the safety of this Town and place of *Dunkirk*, for the betraying of it into the hands of
 “any other persons, or that tends to the withdrawing of any of the persons or people in
 “it from their fidelity to the Lord Protector or his Government.

Thus was *Dunkirk*, a place which had formerly by being the receptacle of Pirats, done
 much damage to the *English*, surely estated in their possession, and continues to this day
 under their subjection.

The next exploit of the Confederates, was the reducing the strong Citadell of *Grave-
 ling*, which was likewise surrendered upon Articles, and Engarriioned by the *French*.

CHAPTER VII.

*The Death of Oliver Cromwel Protector; His Son Richard proclaimed; A
 Parliament called; Dissolved: His power taken away.*

BUT during the successes of the Protector's Forces in *Flanders*, several things hap-
 pened to disturb his joy, and though the prodigie of that monstrous Whales com-
 ing up, contrary to the nature of that Fish, into the fresh water as far as *Greenwich*, where
 it

it was taken, was looked upon by most to portend some great alteration, or the death of some considerable person in the Common-wealth, (as very likely it did his) did not so much trouble him as to alter his temper; yet the death of his most dearly beloved daughter *Mis Elizabeth Cleypool*, the child on whom he had settled his whole masse of affections upon, (who died on the sixth of *August*) was perceived to work strange effects of Melancholy upon him, and so much did her losse possesse him with grief, that many affirmed it to be the cause of that sicknesse, which so soon after it posseed him; for being perceived from the time of her death, to be extremely pensive and melancholly till about the middle of *August*, he was about that time seized with a distemper much like an Ague at first, and was often during his sicknesse, which continued neer three weeks, troubled with swooundings; yet would not he be perswaded that he should die, but affirmed; That as God had carried him to that height, so he would not yet take him away, but had still some farther work for him to do; but notwithstanding his so firm perswasions he should still live, which were encouraged in him by those Sycophantine Ministers which attended him: on the third of *September* (a day which had been so highly fortunate and auspicious to him) about three a clock in the afternoon, he was called from Earth to answer his Murders, Tyrannies and Treasons before the high Tribunal of Heaven, such a Tempest accompanying his Expiration, as had not for many years been known in *England*; the Trees in *Sr. James* his Park being many of them blown up by the roots; the Pales which made up that breach caused by the great fire long since on *London-Bridge*, blown down with the force of the wind, and with their fall killing two women who late under them to sell Apples; many Boats cast away on the *Thames*, and ships wrackt at Sea: In sum, such a Tempest it was, as made many believe, that the Prince of the power of the Air, would that day make known to the world that his power was above the Protectors.

Thus though in his Bed, yet not peaceably died *Oliver Cromwell*; nor was it fit that he should depart quietly out of the world, who had made so much stir and combustion in it; He was a person, who though he by murder and wickednesse attained to his power, and to such a height of greatnesse; yet certainly of a vast spirit and magnanimity, by which he made foreign Nations know more of *Englands* strength then any of her Kings of late years had done; and such a constant and favourable gale did Fortune blow upon all his undertakings, that he never was unfortunate in any (unlesse that of *Hispaniola*) which was either attempted by himself, or his Ministers: nor was he besides his courage wanting in any part of policy necessary for a Tyrant or Usurper; he had perfectly learned the Art of dissembling; see how a Modern Author represents him; *Egregius simulandi dissimulandiq; Artifex, qui cælo oculis sublaris dextraq; pectore percussus, precabitur, lacrymabitur & Sarcum aget donec sub quintâ costâ trajecerit alloquentem.* Hee was (sayes he) a most excellent Artist at feigning and dissembling, who with his eyes lift up to heaven, and his hand laid on his breast, will pray, will cry, and act the Saint till he smite his neighbour under the fifth Rid. He had used many endeavours after his getting the power into his own hands, to draw those who were loyal to the King to his side, some by conferring employments and trusts upon them, and others he purloyned by great sums of money, so that he never wanted intelligence nor knowledge of the Kings most secret Counsels; nor indeed was he wanting in any thing which might either secure the Government to himself or his Successors, whom he determined should be

The Civill Warres

of his own Line; and therefore had sometime before his death, at the earnest request of some of his Counsellors, nominated his son *Richard* to succeed him in the Protectorship: which as soon as his departure was signified, was agreed to by the Council and the Officers of the Army, who immediately repaired to *Richard*, to a Chamber, where he attended their coming, to whom the President of the Council made a speech, acquainting him how deeply the Council was affected with grief for the death of his Father; and that they could not but very much condole with him for so great a loss; but withall, that they came to acquaint him, that his late Highnesse having in his life time, according to the first Article of *The Humble Petition and Advice*, Declared and appointed him to succeed in the Government of these Nations, That the Council had taken the matter into consideration, and had thereupon caused a proclamation to be drawn up, which was passed by the Council, communicated and consented to by the Officers of the Army, and subscribed by the Members of the Council, and the Lord Maior of London, and Officers of the Army with one consent, whereby he was to be proclaimed Protector of the three Nations of *England, Scotland, and Ireland*, and that the said proclamation was to be made publike the next morning at nine of the clock, &c. To this *Richard Cromwell* returned Answer;

“ That he had a very deep sense as well of his own sorrow for the losse of his Father, as of the faithfulness of the Council, and of the City of London and Officers of the Army towards his deceased Father and himself upon the present occasion. That hee was likewise sensible of the weight of the Government now by Gods providence thrust upon his shoulders, which he could by no better way hope to sustain then by theirs and the good people of the Nations prayers, whose peace and prosperitie he would endeavour to maintain to the utmost of his power.

The Council being dismissed, according to their resolutions wherewith they had acquainted him, they caused him the next morning to be proclaimed Protector; first in the *Palace-yard at Westminster*, and then in the severall usual places in London, and afterwards throughout all the Dominions of *England, Scotland and Ireland*; and that afternoon was the Oath of Government administred to him by *Mr. Nathaniel Fiennes* one of the Keepers of the Great Seal: not long after which followed the complements of severall foreign Ambassadors, condoling his fathers death, and congratulating his advancement to the Protectorship: nor wanted there the addresses of the army, and most Counties of *England*, to the same purpose, both *Ireland and Scotland* likewise according, so that an absolute serenity seemed to crown his entrance into power, whilst he took special care for performing the Funerals of his dead father, which were celebrated with such magnificence as never attended any King of *England* to his grave. He first lay in state in *Somerset-house*, where his Effigies made of wax in a fourth room (three before it being hung with black cloth, and in each a canopy and chair of state) hung round with velvet and adorned with Banners (together with the corps) first stood till it wasthence removed into another room, and standing in a Princely manner, with a Scepter in one hand, a Globe in the other, a Crown on his head, and a canopy of state over all; was exposed to publick view till the 23. of November, when the Effigies and Corps were carryed to *Westminster Abbey* with all imaginable pomp and splendor, attended by all the Officers of the household, the chief Officers of the army and navy, the Lord Major and Aldermen of the City, the Judges at Law, the Ambassadors and publick Ministers of foreign princes

Princes and States, the Members of the late Upper-House, and the Privy Council, all in mourning, each Company distinguished by drums and trumpets, a banner and a horse of state; last of all came the horse of honour trapped with embroidery upon crimson velvet, and adorned with white, red and yellow plumes, led by the Master of the horse; the Effigies was at the West end of the Abbey, taken out of the Chariot, & carryed through the Church under a canopy of state, and placed under a Monument of wood framed for that purpose, and there some dayes exposed to publick view: The corps, as was said, had been before privately buried in *Harry the seventh's* Chappel, and a stately monument was intended to be erected, but the alteration of the times saved that expence.

The Funeral rights thus solemnized, the new Protector proceeds to the taking care of affairs of State: his father had during his life contracted an offensive and defensive league with the King of *Sweden*, and had sent him both supplies of land and sea-men for his service: but now had that King more need then ever of a fleet to assist him; for after he had by his fortunate success against the King of *Denmark*, forced him to yield up a good part of his Territories, and half his Dominion of the *Sound*, having at length withdrawn his army; the King of *Denmark* finding the conditions so hard on his side; nor had they neither as he pretended, been observed by the *Swede*, as they should have been, immediately began to raise arms; which the King of *Sweden* hearing of, immediately drew together his army, and by a strange and adventurous march with his whole army over that part of the *Baltick* sea, called the *Sound*, laid siege to *Copenhagen*, before the King of *Denmark* had any certain advice of his motion; yet was the City by his care so well fortified and victualled as made it able to endure a siege: But the *Hollanders* who thought themselves interested in this dispute for the Sovereignty of the *Sound*, and knowing it would very much prejudice their interest should the King of *Denmark* their constant Ally lose his power, made all haste possible to man out a potent Fleet for his assistance; nor were the *English*, or the Government then ruling in *England*, less jealous if the *Dane* should get the absolute command of that place; and therefore *Sir George Ascough* was first sent with a Squadron of ships; but by reason of the coldness of the season, both his ships were endamaged by the ice, and many of his mariners dyed through the extremity of the weather, so that he was forced to returne: but in the Spring a more potent Fleet was manned out under the Lord *Mountague*, but there they lay without doing any thing, till such time as the Power that sent him forth, was dissolved: the *Swede* notwithstanding that he beat the *Dutch* in one sea-fight, being with great loss forced to raise the siege and depart. In the mean time moneys being wanting in *England*, and some other affairs of State being to be considered of, the young Protector issued out his writs for the calling of a Parliament to assemble on the 27. of *January* 1658. Nor were the writs only issued out to call Members for *England*, but likewise for *Scotland* and *Ireland*: These being convened according to the time appointed, and having made choice of *Mr. Chaloner Chute* for their Speaker, the Protector in State, *Cleypoole* carrying the sword before him, came to *Westminster*, attended by his fathers pageant Peers, sent the Usher of the Black-Rod to acquaint the Commons with his being there: who being come, were by him entertained with a large Speech, recommending to them the taking care for the support of the War against the *Spaniards*, and of the Fleet sent for the assistance of the King of *Sweden*, which Speech was seconded by *Nathaniel Fiennes*, Keeper of the Seal, who was chosen Speaker of the other House; and so the Commons having

The Civill Warres

signed an Engagement not to alter the Government, returned to their House, where they first appointed a Committee for the rectifying of Elections, several Members under the notion of Malignants, being turned out of the House, and others chosen in their room, which took up much time: but at length being finished, they next fell upon calling to an account those who had been entrusted with the Customs, Excises, Taxes, and other Revenue, and to consider of the present state of the Revenue, and some way to pay the present arrears of the Army and Navy. But the chief business in hand, was the framing a Bill, which should be entituled, *An Act of Recognition of his Highness Right and Title to be Protector and chief Magistrate of the Common-wealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging.* But there being likewise in this Parliament several who stood stiffly for the Government to be established in a Commonwealth of Free-State, and therefore made many previous questions to be debated before the Bill should pass, as particularly, Whether the Parliament should consist of two Houses? And whether this House should transact with the persons sitting in the other House as a House of Parliament? This the Commonwealths men urged many reasons against, alleadging:

That to treat with those men as a House of Lords, was to enslave themselves more deeply then ever they had been before. That they should by it clearly evince to the world their folly, perjury and villany; that whilst they had taken their oaths to be true and faithful to the Government without a House composed of the Peers of the Nation, they should now not only break their oaths, but likewise subject themselves to a parcel of men who were hardly Peers to the Commons. That if they did but consider the creator of the House of Peers (as they were called) they could not but foresee the necessary thralldom they must run themselves into; these being such as were made sure to the Protectoral interest, and were so many certain votes for what ever arbitrary actions the supreme actors might undertake; and if it were thought burthensome for the Bishops to sit in the House of Lords, because they were accounted so many sure voyces for the King, how much more might this House be excepted against, which was wholly composed of such persons as had their honour and being from the Protectoral influence? And therefore must necessarily and of consequence quadrate their interest with the will of that power which had established or set them up.

But notwithstanding all the reasons that could be alleadged, the potency of the Protectoral faction in the House carried not only in the Affirmative, (that this House would transact with the other House as a House of Parliament during this present Parliament, but with Proviso, That it was not thereby intended to exclude such persons as had been faithful to the Parliament, from their priviledges of being duly summoned to be Members of that House) but likewise that other Vote; Whether the Members chosen for Scotland and Ireland should be continued to sit amongst them, who were as so many Assertors of the Protectors interest? Yet in favour to the Commonwealths-men, some things were conceded to, as the releasing of Major General *Overton* out of prison in the Isle of *Jersey*; nor were they wanting in some favours to the Royal party, for the Duke of *Buckingham*, who had long been imprisoned in *Windsor Castle*, was upon the Lord *Fairfaxes* giving twenty thousand pound security for his good demeanor, and that he should not attempt any thing against the Government, was released. And Major General *Brown*, who was by the City of *London* chosen a Member in this Parliament, but

had

had been disabled by the Juncto of Commons in 1649. from bearing any Offices in the City, was this Parliament by them restored, and again made capable of all Places, Offices, and precedencies there, and the Vote of the fourth of December, 1649. made in his prejudice vacated.

But whilst these things were transacting in Parliament, there was a set Council of Officers, amongst whom *Lambert* (who had by the old Protector been turned out of all command in the Army) was admitted, where they had several conferences about new modelling the Government; for they could not digest to see a young Sprig, who had never with them ventured to involve himself in blood and murders sprung up to be a Commander over them, and they who had run all the hazard be only his Substitutes, or what he pleased to make them. These secret combinations of theirs at length brought forth a Representation, which was by *Fleetwood* in the behalf of the Army presented to the Protector on the six of April, and contained things to this effect.

“ That the Army by reason of their great Arrears of pay was reduced to many urgent straits and necessities, a remedy of which they earnestly desired: That they who had born the brunt of the War were now derided, and like to be laid aside. That many Cavaliers were lately come out of *Flanders*, and had dangerous meetings in and about the City of London. That the faithfull Servants of the Good Old Cause were affronted by Malignants and disaffected persons. That Lists of the actual Tryers of the late King printed in red Letters, were scattered about, as if they were appointed for destruction. That Suits were commenced at common Law against many well-affected persons for things they had transacted as Souldiers. That the famous actions of the Long Parliament and the late Protector were vilified and evil spoken of: concluding that all these circumstances did clearly evidence a declension of the Good Old Cause, which they were resolved to assert, and to that end they desired that his Highnesse would represent those things to the Parliament, and procure their remedies, and particularly that he would recommend to them the present necessity of the Souldiers, &c.

They likewise in this Representation, as was supposed, to engage the City to them, desired that satisfaction might be given to the Militia Forces, which so pleased them, that *Tichborn* and *Iretton* their Commanders, drew up likewise a thing of the same nature with the Armies, declaring their resolutions with the Army to stick to the Good Old Cause; a copy of which they likewise sent to the Council of Officers, accompanied with a Letter to *Fleetwood*, testifying their resolution to go along with them in whatsoever they should undertake for the Nations good. The Parliament had before the publishing of these Representations some suspicion of the close councils of the Officers of the Army, but now seeing their discontents to be already grown to so great a height, it was thought fit to endeavour a prevention of their going farther, and therefore the Parliament Voted,

That there should be no meeting or General Council of Officers without the Protector's consent, and by his Order.

That no person should have any command either by Sea or Land in any of the three Nations, who should refuse to subscribe that he would not disturb the free meetings of the Parliament, or of any Members in either House of Parliament, or should obstruct their freedom in debates and counsels.

These Votes of the two Houses the Protector (who now himself began to fear the close

The Civill Warres

close meeting of the Council of Officers) sends to *Wallingford-house*, where their General Council was held, whereupon they found that they found that they must now or never put their design in execution, which would now admit of no delay; therefore on the 21. of *April*, *Fleetwood*, *Desborough*, and other chief Officers of the Army went to the Protector, and (notwithstanding the earnest dissuasion of *Whaley*, *Goffe* and *Ingoldsby*, who promised they would stick to him) between threats and persuasions forced the Protector to sign a Commission directed to *Nathaniel Finnes* Keeper of the Seal, to dissolve the Parliament: The Commons having adviſe hereof, refused to give the Usher of the Black Rod, whom *Finnes* had sent to acquaint them that he attended them in the House of Lords entrance, but understanding that there were Guards upon them in the *Palace-yard*, they Adjourned till Monday the 25 of *April*: But the next, to prevent their meeting again, proclamation was made, requiring them to dissolve; notwithstanding which, several Members according to the Voe of adjournment came to take their places in the House, but were forcibly kept out by the Souldiers. With the dissolving of this Parliament was an *Exit* likewise given to the Protectorall: and that which the Father had got with so much pains, travel and blood-shed, was delivered up by the Son without drawing a Sword.

CHAP. CVIII.

The Old Juncto of Commons readmitted. Sir George Booth, &c. declares against them. Lambert cuts and takes him prisoner, dissolves the Juncto. A Committee of Safety set up.

ALL men were now amazed, and stood gazing and expecting strange things to happen upon this so suddain Alteration of Government: nor could it at first be imagined what modell should now be set up, for it was concluded by all, that the Officers of the Army could not keep the power in their own hands, but must necessarily set up some face of a Civil Government: But the Council of Officers (having first purged the Army by turning out *Goffe*, *Whaley* and *Ingoldsby*, and others, who were for the Protectoral Interest) made no long debates about it, but on the 6 of *May* they publish a Declaration, containing a large and specious præamble, excusing their deviation from the Good Old Cause, from whence all their ills had proceeded, and their resolutions to assert it for the future, and to that purpose declaring that they amongst other things calling to mind that the Long Parliament consisting of the Members which continued their sitting untill the 20 of *April* 1653, were eminent assertors of that cause, and had a special presence of God with them, and were signally blessed in that work, (the desires of many people concurring with theirs therein) they thought it their duty to invite the said Members to return to the exercise and discharge of their trust, as before the said 20 of *April*, 1653. And therefore they did by this Declaration earnestly desire the Parliament consisting of those Members who continued sitting since the year 1641. unto the 20. of *April*, 1653. to return to the exercise and discharge of their trust, and that they should be ready in their places to yeeld them their uttermost assistance to sit in safety, for the improving present opportunity, for settling and securing the peace and quiet of this Commonwealth, praying for the presence and blessing of God upon their endeavours.

This was their publique invitation; but they had before had private conference with the

the Speaker Mr. *William Lenthall*, and several other of the Members, with whom they had agreed by Articles what things they were to do, and though *Lenthalls* legal and conscientious objections against their re-sitting were never answered, yet on the seventh of May those Members, being forty two in number, met in the *Painted Chamber*, and from thence led by the Speaker with the Mace before him, went and took their places in the House; which the Members who had been formerly secluded in 1648. hearing of a good number of them met in *Westminster-hall*, and constituted Mr. *Annesley*, Sir *George Booth*, Mr. *William Pryn*, Mr. *James Herbert*, Mr. *George Montague*, Sir *John Eveling*, Mr. *Eveling*, M. *Knighly*, Mr. *Gewen*, Mr. *John Herbert*, Mr. *Peck*, Mr. *Hungerford*, Mr. *Hurley* and Mr. *Clive*, fourteen in all, as a Committee, to go up and try whether they could find admittance to their places; but coming up they found such a restraint upon them, that they could scarce get into the *Lobby*, whither being come, they were by *Lieutenant Coll. Allen* impeded going farther, though they earnestly disputed their right of sitting there, as well as the others, but notwithstanding this repulse at present, on Monday the 9. of May, Mr. *Annesley*, Mr. *Hungerford* and Mr. *Pryn*, understanding that the House was then unguarded, came to *Westminster*, and without any opposition entered the House, still afterwards Mr. *Annesley* and Mr. *Hungerford* went forth to acquaint the other secluded Members who attended their success in the Hall, of their admittance, when endeavouring with others to enter again, they were forcibly kept back, but Mr. *Pryn* who continued there, began highly to dispute the right of their privilege of sitting there, as well as the others; which so much displeased the Junco, that not being able to confute his reasons, they adjourned till such time as they could keep him out by force, when yet he attempted to enter, but in vain; and the Junco for fear of being put again to answer the justness of their sitting by Law or Reason, Voted, That all persons heretofore Members of that Parliament, which had not sat in this Parliament since the year 1648. nor had subscribed to the Engagement in the Roll of Engagement of this House, should not sit in the House till further order from the Parliament. The next thing now they had to do to make their power absolute, was the resignation of the power wherewith *Richard Cromwell* was lately invested, they therefore sent a Committee to him to desire a State of his debts, and likewise to enquire how he acquiesced in the Government. To the first he returned answer,

That to the Paper now sent them he had annexed a true State of his debts, (which amounted to twenty nine thousand six hundred and forty pounds) and how they were contracted.

To the second, He trusted his past carriage had manifested his acquiescence in the will and good pleasure of God, and that he loved and valued the peace of this Commonwealth much above his private concerns: Desiring that by this a measure of his future comportment might be taken, which by the blessing of God should be such as should bear the same witness, he having in some degree he hoped learned rather to reverence and to submit to the hand of God than be unquiet under it. That (as to the late providence that had fallen out) however in respect to the particular engagement that lay upon him, he could not be active in making a change in the Government of these Nations, yet through the goodness of God he could freely acquiesce in it being made, and did hold himself obliged, as with other men he might expect protection from the present Government, so to demean himself with all peaceableness under it, and to procure

The Civill Warres

1659.

cure to the uttermost of his power that all in whom he had interest should do the same.

Thus easily was that work finished; nor was his brother *Henry*, who then governed *Ireland* under the title of Lord Lieutenant, lesse willing to submit, for upon the Juncto's summons he came over and surrendered his Government, which was by them committed to the management of five Commissioners: General *Monck* likewise in *Scotland* owned and congratulated them in a Letter, but still continued in his command: The Navy also fairly correspond with them: Nor were there addressees wanting from severall Counties in *England*, expressing their joyfull sense of the Juncto's returning to the exercise of their power. So that now they seemed absolutely seised, and to keep themselves so, though they first carresse the Army with an Act of Oblivion for all force and violence formerly put upon the House, yet to restrain them for the future, they take away all absoluteness in command which might seem to make way for the new encroachment of a single person, taking to that purpose the supreme command of the Army upon themselves and constituting the Speaker in the name of the whole Parliament to be General: so the Commissions to all Officers of the Army were issued out under his hand, and the Parliaments Seal, the same which was formerly used by them in 1653, thole made by the Protectors being by them broken. And notwithstanding the yet infancy and fickleness of their power, they are at first courted by the *Holland* Ambassadour, and afterwards by an extraordinary Ambassadour from the King of *Sweden*, upon audience given to whom, three persons were appointed to go as plenipotentiaries to *Copenhagen*, to treat of such a reconciliation between the two Kings of *Denmark* and *Sweden* as might best stand with the interest of *England*.

Thus blew a serene gale upon their re-entrance into power: The first gust of opposition (which seemed as a preface of a future greater storm) appeared against some of their souldiers at *Enfield*, to whom the Juncto had for their arrears formerly given part of that chase, which before lay common, & was the greatest support of the Countrey people thereabouts, for feeding their cattle, whereby many poor families were maintained; which being by those souldiers enclosed and built upon, those people were not only deprived of their former comfortable subsistence, but likewise made subject to the continual affronts of so ill neighbours as the souldiers were, which they a long time comported; but at length want of bread firing their courages (notwithstanding there were some souldiers upon their former threats to lay the place again waste, sent as a guard thither) they gathered together about fourscore of the Countrey people, armed with staves and pitchforks, set upon the souldiers, & with the loss of one of theirs, took nine prisoners, who were for the present committed to *Newgate*, but soon after released by the Juncto's authority. Indeed the whole Nation seemed now generally discontented, & began to be sensible, that notwithstanding those large promises of freedom and liberty, they were still more and more inflamed; and a general resolution there was to endeavour to free themselves from that intolerable thraldome they then groaned under, of which it seems the Juncto had some notice or suspicion, as appears first by their Declaration to banish all the Kings loyal subjects, or at least such as had been in arms for himself or his father, from *London* and twenty miles farther, by their securing and imprisoning the Lady *Mary Howard*, and one *Mrs. Sumner*, in the Tower, upon a suspicious letter of the said Lady *Howards*, intercepted without a superscription, and shortly after sending Sir *Ernestus Byron* and other persons of quality, to accompany them, seizing the horses in and about *London*, and endeavouring

deavouring
ding down
deed who
deem them
appointme
ner, but
Middle
lity, had
it startle
hardly d
cause (P
Parliam
waste la
might ri
but get
George
ries, (p
people
the Milit
the same
and three
thern ris
Gentlem
stood out
consisted
tlemen,
or other
other Co
Litchfield
William
Thomas
endeavou
them not
ning with
dered two
foot unde
whose cor
vain, for
army, w
Northwic
armies w
them, Sir
sons for t
might be
That the

of Great Britain and Ireland.

481

1653.

deavouring to prevent risings in other places, which they did in *Kent* and *Surrey*, by sending down parties of horse, who apprehended several Cavaliers, or any Gentlemen indeed whom their Officers would please to suspect, were willing or would be ready to redeem themselves from slavery. In *Glocestershire* likewise Major General *Masse* was disappointed from doing his Countrey that service he intended, himself being taken prisoner, but miraculously making an escape. But in *Cheshire* Sir *George Booth*, Sir *Thomas Middleton*, Major General *Egerton*, Col. *Mackworth*, and several other persons of quality, had raised to considerable a party in *Cheshire*, *Flintshire* and *Lancashire*, that at first it startled the Juncto, who found likewise the City so much discontented, that they durst hardly draw off their army from thence: besides, they knew that the justness of the risers cause (being for the defence of their Lawes, lives and liberties, the calling of a free Parliament, for the establishing the Nation according to Law, that they might not like waste land be held only by the title of occupation, or that the next that got into the saddle might ride them) would animate the whole Nation to take part with them, could they but get an opportunity to rise: yet the business being speedily to be effected, left Sir *George Booth* gaining time should grow too potent, having armed three thousand Sectaries, (persons whose vile principles would make them act any thing, and who only of all people enjoyed a freedom of libertinism and prophanenels under them) and settled the Militia of *London* in the hands of their confidants, *Ireton*, *Titchborn*, and others of the same gang, they dispatched *Lambert* with three Regiments of horse, one of dragoons, and three of foot, giving him order to march with all possible speed to suppress that Northern rising. Sir *George Booth* had in the mean time, assisted by the rest of those worthy Gentlemen who engaged with him, engarrisoned *Westchester*, (though the Castle there stood out still against them) and secured *Warrington* and *Manchester*, but his field-army consisted not of many more than three thousand horse and foot, the Cavalry most Gentlemen, but the Infantry raw and unskilfull fellows, newly come either from the plough or other labours: Yet by his letters and Declarations, he invites the City of *London*, and other Counties to joyn with him, but the City was overawed: And though the Earl of *Litchfield*, and some other persons of quality, endeavoured to raise a party in *Surrey*, Sir *William Compton*, Sir *Thomas Levenshrope*, and Esquire *Fanshaw* in *Hartfordshire*, Col. *Thomas Culpeper* in the *Wild* of *Kent*, and others in other places, yet were their loyal endeavours obstructed by the quick motions of the Juncto's horse, which permitted them not to come to any head; so that Sir *George Booth's* hopes of other Counties joyning with him, were utterly frustrate: And the Juncto to make sure with him, had ordered two Regiments, one of horse under the command of Col. *Zankey*, and the other of foot under Col. *Axtell*, to be sent out of *Ireland*, to strengthen and enforce *Lambert's*, whose conjunction Sir *George Booth* endeavoured by all possible means to hinder, but in vain, for they being joyned at *Namptwich* on the 16. of *August*, faced Sir *Georges* small army, who were drawn up in a meadow on the other side the River, just opposite to *Norwich-Bridge*, on which Sir *George* had placed a guard to maintain it: Whilst the two armies were thus drawn up one against the other, having nothing but the River to part them, Sir *George* sent a trumpet to *Lambert*, to acquaint him with the justness of his reasons for taking up of arms, and desiring that to avoid shedding of blood, some persons might be appointed to conferre in order to a Treaty. To which *Lambert* returns an Answer: That the readiest way to avoid shedding of blood, was for them to lay down their arms.

The Civill Warres

1659.

and surrender *Chester*, and other strengths; which if they refused to doe, that he was sent to reduce them to their due obedience, which by the help of God he did not doubt to do. And according to this resolution, the next morning he commands a stout party of foot to assault those who kept the Bridge, which they did with very much courage, nor was it for some time less valiantly detened: but at length *Lamberts* souldiers beating the other from the Bridge, made way for *Lamberts* whole army to pass over and charge Sir *Georges* Infantry, who were drawn up in the neare low below, and immediately forced them to retreat, but with little execution, by reason of the inclosures, which gave them liberty to make good their retreat from hedge to hedge; the horse likewise being charged by *Lamberts*, made at first a gallant resistance, but overpowered were forced to trust their safety to their horse heels, being pursued by their victors, and many of them taken in their way to *Warrington*, *Manchester* and *Chester*, towards which places they fled. Thus the grand body being dissipated, *Chester* City and the other places were surrendered, Sir *George Booth* himself escaped out of the field, but was soon after taken in a disguise at *Newport Pagnell*, whither he was come on wards of his way towards *London*, in order to an escape beyond sea, but now committed to the Tower.

The Juncto in the mean time that *Lambert* had been conquering their enemies, had appointed a Committee for the sequestering of all those Gentlemens estates who had engaged against them; and for *Lamberts* good service ordered, That one thousand pound should be sent him to buy him a jewel, which as it was reported, he frankly bestowed amongst the common souldiers, whom he was now to employ in a farther design, which was the first jealousy the Juncto conceived of him, but afterwards it appeared more clearly which way his intentions tended; for in his march towards *London*, he had so jugged with the under Officers of his army, that he got a general subscription of their hands to a paper, which they sent up to *London* to Col. *Ashfield*, Col. *Cobbet*, and Lieutenant Col. *Duckenfield*, to be by them presented to *Fleetwood*, and by him to the Juncto: this paper was intituled, *The humble Petition and proposals of the army under the command of the Lord Lambert in the late Northern expedition*. And in it after an expostulation of their delerets from and affections to the Parliament, desiring, That the command of the army might be entrusted to *Fleetwood* as General, *Lambert* as Major General, &c. This paper was by *Fleetwood*, in order to its presenting to the Parliament, communicated to Sir *Henry Vane* and Sir *Arthur Haslerigge*: *Vane* seems to approve it, but *Haslerigge* immediately acquaints the Juncto of a dangerous design in the army against them, and that that paper tended to the subversion of their power: Whereupon they immediately send for that paper to *Fleetwood*, who returns answer, That he had only a copy, the original being in *Cobberts* hands: Nor could *Cobbet*, who was sent for it, be found; but the Juncto to forestall their desires in it, vote, That the having of more General Officers was a thing needlesse, chargeable and dangerous to the Common-wealth. Upon which the Council of Officers draw up an humble Representation and petition to the Parliament, wherein they profess their resolutions of obedience to them, but yet use some expressions tacitly implying the maintaining of their own power. This was throughly canvassed in the Juncto; nor did they want advice, that they still held their counsels, and resolved to prosecute their design of subverting them: Whereupon, they thinking the only way to keep the army in subjection, was to deprive them of all means of subsistence, vote, That it should be Treason in any persons whatsoever, to raise, levy or collect money

L
Sa
proceedi
to Scotia

money without consent of Parliament; and likewise make void the Acts for raising Custom and Excise: Thus they first cut off the Armies maintenance, and then take away the Commissions of nine of the Ring-leading Officers, (to wit) *Lambert, Desborough, Berry, Kelsey, Ashfield, Cobbet, Creed, Packer, and Barrow*, disposing of their commands to others; and the power over the Army they commit to the management of seven Commissioners, *Fleetwood, Ludlow, General Monk, Haslerigge, Walton, Morley and Overton*: But notwithstanding all these endeavours of theirs, the nine aforementioned Worthies are resolved not to part so tamely from their commands, but having made their party as strong as they could, resolved next morning to unseat the Parliament once more; which they having advice of, had given order over night for the drawing of what Forces yet continued faithfull to them to *Westminster*, for to guard them against whatever might the next day be attempted, *Col. Mosses* and *Morleys* Regiments, with about four Troops of Horse of *Okeyes*, obeyed their commands, and appeared in Arms, in the *Palace-yard*, but *Lambert* having gathered together the rest of the Army stops all passages, so that no more relief could come unto them, which they had sent for from the City. In the mean the Speaker with his Life-guard coming down by *White-hall*, the Captain of it was dismounted by *Lambert*, and Major *Creed* being mounted in his stead, turned the Speaker back with his own Guard, however *Mosses* and *Morleys* Regiments held out till towards evening, but then seeing no hopes of doing any good, they upon agreement were content to retire to their Quarters, which was consented to, but their Officers were turned out of their commands, and others constituted in their stead; and since the Juncto had denied to grant Commissions for the General Officers desired, the whole Army must give power to their Commanders, by subscribing a Paper wherein they owned *Fleetwood* as General, *Lambert* as Major General, and *Desborough* as Commissary General of the Horse, and by this Authority were all Commissions issued out to all the inferior Commanders of the Army. But because they knew that the people were now more amazed then in the former change, and greedy to see what would be the issue of this alteration, they erect a thing called *A Committee of Safety*, who were to consider and determine what Government should be set up in the Nation; this consisted of three and twenty persons, to wit, *Fleetwood, Lambert, Desborough, Steele, Wariston, Whitlock, Vane, Ludlow, Sydenham, Salway, Strickland, Berry, Lawrence, Sir James Harrington, Ireton* Lord Major of London, *Tichborn, Brandrick, Thomson, Hewson, Clerk, Lilburn, Benner and Holland*; And this, though consisting for the most part of Officers of the Army, is by them intruded on the people, as the only Civil and Legislative power of the Nation, which they must perforce be contented with till a better could be by them invented.

CHAP. CIX.

Generall Monk advances out of Scotland; the Juncto of Commons again readmitted; Lamberts Army deserts him.

Lambert with the rest of his Council of Officers, having erected their *Committee of Safety*; and published a large Declaration to satisfy the people of England of their proceedings, immediately posts away *Collonel Barrow* to *Ireland*, and *Collonel Cobbet* to *Scotland*, to win the Armies there to comply with their designs, but they found not

The Civill Warres

that successe which they hoped or wished for in either places; for in *Ireland* Sir *Hardres Waller* with most of the Officers declared for the Juncto of Commons, and before *Cobbers* arriving in *Scotland*, came Letters from General *Monck*, testifying his dislike of their proceedings; which dislike of his he soon put into action, and securing all those Officers under his command, whom he had cause to suspect would comply with the Army in *England*, first in *Tamptallon Castle*, and after in the *Basse-Island*, he possesles *Barwick* and other places of strength, and draws together his Army, and at *Cobbers* arrival claps him up in *Edinburgh Castle*, news whereof being brought to *London*, *Lambers* with the whole force that could be spared was appointed to march against him; but they think it first convenient to use all possible means to win him by fair means to their party, and therefore they send first his Brother-in-Law Dr. *Clarges* and Col. *Talbot*, and soon after them Commissary General *Whaley*, Col. *Goffe*, Mr. *Caryl* and Mr. *Barker* were sent to mediate with him: These he received with all possible civility, professing his readinesse to joyn with the Army in *England*, provided they would restore the Parliament to its due rights and privileges, and then that he would use his utmost endeavours for comping of differences and obtaining a general Act of Pardon and Oblivion: That in the mean time, that they might see how unwilling he was to shed blood, he had appointed three Commissioners, Col. *Wilks*, Lieutenant Col. *Clobery* and Major *Knight*, to go up and treat with those at *London*, and if possible conclude an accommodation. This was certified by the Commissioners for the *English* Army to the Committee of Safety, who readily accepted of the Treaty, and the three aforesaid were accordingly sent to *London*, but in the mean time the Warlike preparations go on on both sides, *Lambert* marching towards the borders with a numerous Force both of Horse and Foot, and General *Monck* not only purging his Army by casting off such Officers as he conceived rotten, but likewise endeavouring to encrease it by calling a convention of the *Scottish* Nation, to whom being assembled, he communicated his desires following to this effect:

“That he having a call from God and men to march into *England*, for the resetting of the Government there, they would during his absence, which should not be long, preserve the peace of the Nation: That if any troubles should arise there, they would assist him in the suppressing them, and that for the present necessities of his Army, they would raise him Money.

To which Answer was by them briefly returned,

“That they could not engage to preserve the peace of the country, wanting Armes, but should notwithstanding use their utmost endeavours: That they were incapable to answer his desires in the second point, and besides thought it imprudent and inconvenient to ingage in a War whereof the successe was dubious, and the advantage to them uncertain and not intelligible: That however they were content to levy him a twelve Moneths Assesment.

The granting of this last was, I suppose, the granting of his whole desires; in the mean time *Lambert* had advanced as far as *Newcastle*, where he arrived on the 23. of *November*: and finding there several of those Officers whom General *Monck* had discarded, they were cryed up to be persons who had voluntarily deserted him, and the world made believe their coming away, a weakening of his party. The Treaty at *London* endured not so long as was expected, for Col. *Wilks*, the chief of the Commissioners for *Scotland*, had yielded to things beyond the bounds of his Commission, and concluded on a sudden

a
su
lan
Wil
the
was
Jun
of a
plac
men
mou
Maj
but
the
so th
the
the
but
quie
only
of S
confe
opini
the w
first
upon
Relig
Parli
ment
inter
med t
to this
their d
protest
the res
ned the
Vane, M
being c
Cooper,
rest, so
Hastler
ced tow
be vario
assist th
the Jun
fields, wi

a sudden on Articles so much displeasing to General *Monck*, that at his arrival in *Scotland* with them, the General not only refused to confirm them, but likewise imprisoned *Wilks* for condescending to things beyond the power given him. But yet that he might the better gain time, he concluded on another Treaty to be held at *Newcastle*, for he was not ignorant of the designs of *Sir Arthur Haslerigge*, *Col. Morley*, and others of the Juncto of Commons, against the new pageant power, and therefore to escape the hazard of a battell, he thought it the safest course to use delays, till they should in some other place make advertisement, which happened according to his wishes; for the two aforementioned persons had drawn into their party Colonel *Whetham* Governour of *Portsmouth*, and having secured those of the contrary faction, possessed the Town; against them Major *Cadwell* was first sent by the Committee of Safety with a strong party of horse, but before he was got half way, above half his souldiers desert him, and took part with the Juncto: Major *Bremen* likewise who was sent after him, went in to their assistance, so that they there began to grow formidable: Nor were they only assaulted there, but the City discontents did very much torment them; the *London* Apprentices petitioning the Heads of the City for a free Parliament, and rising in a kind of tumultuous manner, but *Hewson* marching into the City with his Regiment, by the murder of two or three, quieted them for the present, but could not appease that discontented spirit, which not only reigned in them, but likewise in the chief Magistrates, which made the Committee of Safety, finding the Common-Council to act so opposite to their designs, to desire a conference with some of the chief Citizens, whom they endeavoured to possess with an opinion of that their good intentions for the Nation; promising them, that for theirs and the whole Nations satisfaction, a Parliament should be called to sit down at or before the first of *February*, to be chosen under such qualifications as were and should be agreed upon, and might best secure the just Rights, Liberties, and Privileges, both Civil and Religious of the people of this Common-wealth. But the City was sensible, that this Parliament which they pretended they would call, should be such another mock Parliament, composed for the most part of Secretaries, or other persons wholly engaged to their interest, as *Oliver* had before called, and therefore notwithstanding the writs were framed to that purpose, yet the discontents still continued. Nor was all this trouble enough to this new upstart Government, but their comes another enemy to besiege them even at their doores, Vice-Admirall *Lawson* blocking up the River with a squadron of ships, protesting against their proceedings, and declaring that he would use his endeavours for the restoration of the Old Juncto of Commons: This more then all the rest, disheartened them; but hoping to procure a remedy to that distemper, they sent down *Sir Henry Vane*, Major *Salloway*, and Colonel *Salmon*, to treat with the Vice-Admiral; but they being come aboard, find there three Agents for the Juncto, to wit, *Sir Anthony Ashley-Cooper*, *Mr. Thomas Scot*, and *Col. Streater*, who had already secured him to their interest, so that they were forced to return *reinsecta*, whilst in the mean time *Sir Arthur Haslerigge*, and *Col. Morley*, having raised a considerable force about *Portsmouth*, advanced towards *London*; upon news of which the Officers of the army themselves began to be various and uncertain what to do or determin, whom the souldiers finding so unable to assist them, upon summons of *Col. Okey*, *Col. Alured*, and *Col. Markham*, Agents for the Juncto, desert them; and mustering under those Commanders in *Lincolnes-Inn-fields*, with shous express their joy of returning to the Parliaments obedience, and so from

The Civill Warres

from thence marching into *Chancery-lane* at the Speakers door, they all submitted themselves to his command, and then repaired to their quarters. This utterly dissipated the power of the new sprung Committee of Safety, and the Speaker to begin again to exercise his authority, went the same night into the City, where he acquaints the Major and Aldermen with the Parliaments intentions to sit again, desiring them to use their power, industry, and interest, to still the animosities, and preserve the peace of the City: from thence he went to the Tower, where he distributes twenty pound amongst the souldiers, and gives the charge of it to Sir *Anthony Ashley-Cooper*, Mr. *Weaver*, and Mr. *Josias Barnay*, to whom afterwards the Junctō added Mr. *Scot*. Commissary General *Desborough's* Regiment was from *Lamberts* army advanced as far as *St. Albans*, to assist the Committee of Safety, finding their power extinct before they could come to their relief, submitted. On the 26. of *December*, the Junctō again took their places in the House, where they first annul the Ordinance made against payment of Excise and Customs, which was made only upon the armies rebellion, to obstruct them from maintenance; and then take care for the reducing of *Lambert* in the North, who was now himself in no good condition, *Desborough's* Regiment of horse being submitted, and the *Irish* brigade revolted from him, and joyned with the Lord *Fairfax*; who having raised a considerable force in *Yorkshire*, had secured *York* behind him, so that *Lamberts* souldiers were very willing to be rid of him, as appeared by their dayly deserting him, and going away to *Monck*, but more especially by their general defection upon the Vote of the Junctō, that they should repair to such quarters as were appointed for them, which they so generally submitted to, that their General at last had scarce threescore horse to guard him; so that there now was left no enemy for General *Monck* to encounter withall. Those forces which were raised by the Lord *Fairfax*, were likewise ordered to be disbanded, and all arms taken out of publick stores, ordered to be returned; and the management of the army for the future, was committed to Col. *Alexander Popham*, Col. *Thomson*, Mr. *Scot*, Col. *Okey*, Sir *Anthony Ashley-cooper*; who or any three of them were appointed Commissioners for the ordering and disposal of it, eight of the nine Ring-leading Officers, together with Sir *Henry Vane*, were confined to their houses, and *Lambert* their Chief after committed to the Tower.

C H A P. CX.

General Monck marches to London. Pulls down the City Gates. Admits the secluded Members. A free Parliament resolved on. Lambert retaken.

General *Monck's* business being thus as it were done to his hand, and his enemy vanished without striking a blow, disposes his army to march up towards *London*; and having first sent Major General *Morgan* with a part of it back into *Scotland*, to settle and keep quiet affairs there, himself with about five thousand horse and foot advances Southward, though the Junctō had ordered his coming up with no more then five hundred horse: he was in his way first met in *Yorkshire* by the Lord *Fairfax*, accompanied with several other Gentlemen of that County, who expressing their joy for his happy coming into *England*, made it their earnest desires to him, that he would be instrumental in restoring his Native Countrey to her Liberties, and to making up those fences which so many years distraction had thrown down, either by restoring those Members which were

were violently and forcibly secluded in 1648. to the exercise of their trust, or else by causing a free and full Parliament to be called and elected by the free Votes of the country, according to the undoubted Birth-right of every *English* man. These desires of the *Torkshire* Gentlemen were seconded by most Counties in *England*, to whom he generally returned the same answer that he did to the Letter sent him from the *City of London* by the Sword-bearer, in which he seemed to expresse, that he would satisfy the desires of the City in a free Parliament: & yet that he was resolved to continue steadfast to this Parliament: whereby as he gave the Nation some matter of hope, so he likewise took away all reason of discontent from the Juncto; who notwithstanding it seems were somewhat jealous & fearful, lest the numerous addresses of the country should alter his affections, which they supposed he bore their interest; & therefore they sent down Mr. *Thomas Scot*, and Mr. *Luke Robinson*, under pretence of waiting upon him, & returning him the thanks of the House for his great service done them; but as was rather imagined to watch his carriage to the country, and to see if any thing might fall from him in opposition to their designs; and the City finding the Juncto (who were now the scorn and reproach of the people termed the Rump; for indeed they were but the sag end of a Parliament) to have sent those two messengers, and guessing their intent, thought fit likewise to carell him with Commissioners of their own, and to that purpose sent Alderman *Foulke*, Mr. *William Vincent*, and Colonel *Bromfield* to wait upon him, and present the desires of the City, whom though he entertained with all possible civility, yet gave he them no absolute satisfaction as to their requests, on the twenty eight of *January*, he arrived where he received more adjacent Counties and the *City of London*, to which he still gave the like dubious answers; he stayed the longer at *St. Albans*, that that part of the Army then quartered at *London* might have time to withdraw and make room for his forces, which they did at length, though with some murmure & discontent, which at *Somerset-house*, where a party of them kept Garrison arrived to a mutiny, but was soon appealed; on the third of *February* he marched with his whole Army through part of *London* to *Westminster*, and took up his lodging with his Lady, who arrived some dayes before him in a part of *White-Hall* made ready for that purpose: on the first day he was by *Scot* and *Robinson* attended to the House, where he was entertained by the Speaker with a large complemental Oration, expressing the great sense the House had of his Service and Merits, and the hearty thanks which they did return him; in requital of which, having answered his complements, he puts them in mind of the several Applications and numerous Subscriptions which he had received from most Counties of *England*, which expressed the peoples inclinations, which yet he left to their determinations, and so arose, leaving them well satisfied, but yet jealous of his fidelity: which not long after they took occasion to try; for the want of monies for the payment of their Armies, having enforced to put out a Tax of an hundred thousand pound *per Mensen*, the Common Council of *London* debated upon it, and unanimously resolved not to pay one penny till it were agreed on a free Parliament, which so incensed the Juncto, that it was referred to the Council of State to determine what should be done to that rebellious City, who made report, That they had given Order to the Commissioners of the Army to appoint Forces to be, and continue in the City of *London* for preserving the peace of it, and of the Common-wealth, and reducing it to the Obedience of the Parliament; and that they likewise thought it convenient that the Posts and Chains should be taken away, the Ci-

The Civill Warres

1659.

ty Gates and Portcullisses broken, Mr. William Vincent Merchant in *Bishopsgatestreet*, Mr. Thomas Brown Grocer in *Woodstreet*, Mr. Daniel Spencer, Mr. Lawrence Bromfield, Major Chamberlain, Mr. Bloodworth, Mr. Richard Ford, Major Cox, Mr. Penning, and Lieutenant Colonel Jackson, (who were the chief sticklers in the Common-Council for the Nations Liberty) should be apprehended, and that a new Common-Council should be elected; all this the Juncto approved of, and General Monk was sent with his whole Army into the City to perform the Executive part of it, which he did punctually by pulling down the Gates, breaking the Posts, and sending the Common-Council-men to the Tower; yet whilst he was thus executing their commands, they were conspiring the abridgement of his power, which they were yet jealous of, which they first do by joyning others in power with him, and then by combining with the Secretaries, as appeared by their thankfull reception of *Barebones* Petition, which contained things absolutely contrary to Government or christian society, in the Proeme bitterly railing against King, Nobility, and Clergy, and casting all possible obloquy and scandal upon the secluded Members, whose readmission into the House, or the calling of a free Parliament would inevitably (said they) cause the ruine and destruction of the godly of the Land. For prevention of which, they desired, That no man might be admitted into any place or function either in Church or State, (no not so much as to be a School-master) but who would absolutely abjure and renounce the King and all his Family, or any single person whatsoever, and that whosoever in Parliament, or other where, should make any mention of restoring the King, should be adjudged guilty of high Treason.

To this Petition the thanks of the House was returned, which gave the General one occasion of deserting them, and on Saturday the eleventh of February, the day after he had done that execution in the City, upon advice with his Officers, he thought fit to return thither with his whole force, sending at the same time a Letter to the Juncto wherein he tells them; That they still countenanced and abetted such as they had seemingly declared Enemies, and had been the occasion of their last overthrow, which were then in the Town hatching designs for the ruine of them. That they had favoured, abetted and encouraged their unchristian Tenents, concluding with a prefixed time in which they would resolve to issue our Writs for a new Parliament, that so they might terminate their sitting, and come to a dissolution, which both the Army and the whole Nation longingly expected. In the afternoon having mustered his Souldiers in *Finsbury* Fields, and repairing after dinner to *Guild-Hall*, he had conference with the Lord Mayor and Aldermen, which concluded with the Ringing of Bells, making of Bonfires, and all expressions of joy throughout the City for a free Parliament, though many then thought it a Fable, and that they had no reason to rejoice; for still the Juncto met as formerly, and with as much confidence sent their two Apostles, *Scot* and *Robinson* to Treat with the General, who condescended so much to them as to hear a conference between a Committee of theirs and a Committee of the secluded Members at Alderman *Walc's* house, where he was more clearly convinced of the justice of the secluded Members demands to sit in the House, and therefore on the one and twentieth of February, having appointed such as were in Town to the number of fourscore to meet him at his lodging at *White-Hall*, he there told them; That he hoped they were not ignorant what care and endeavours had been used, and means assayed for the healing the breaches of our divisions among our selves; and that in order thereunto divers con-

ferences

ferences had been procured between them, yet having a fuller satisfaction from those Gentlemen who had been secluded then formerly, he was bold to put them all to the trouble of that meeting, that he might open himself to them with more freedom then formerly. But lest he might be mis-apprehended or mistaken, as of late had befallen him, he had committed to writing the heads of what he intended to discourse to them, commanding his Secretary to read a Paper publicly, which was to this effect.

That by what he had heard the settlement of the Nation lay in their hands, and that he was assured they would become makers up of its wofull breaches, in pursuit whereof he should think nothing too dear. That he would impose nothing on them, but took leave to mind them, that the old foundations were so broken, that in the eye of Reason they could not be restored but upon the ruine of the Nation. That the Interest of *London* lay in a Common-wealth, the only Government capable of making her the bank for the Trade of Christendom; that he thought a moderate, not rigid Presbyterian Government most acceptable to the Churches settlement. That their care would be necessary to settle the conduct of the Army and maintenance for the Forces by Sea and Land; desiring them further, that they would summon a new Parliament, and make a Legal dissolution.

This being read, the Members took their leave, and went to the House, which they found freely open for them, when at their first entrance they fell to dissanulling their several Votes whereby they were secluded & disabled from sitting in the House; next they enlarged the Generals Commission, making him commander in chief of all the Forces of *England*, *Scotland*, and *Ireland*, making void the power granted by the Juncto to their Commissioners for ordering and managing the affairs of the Army: They likewise dissanulled the Militia which had been constituted by the Rump, or Juncto, who had intrusted it into the hands of none but Sectaries, and others, whose interests were enterwoven with theirs to endeavour equally the ruine of the Nation, and in stead of them put it into the hands of the most principal Gentry of every County, yet with this proviso, that before they were admitted to any command they should subscribe that they did acknowledge the War raised by the two Houses of Parliament against King *Charles* the first was lawful, till such time as violence was put upon the Parliament in 1648.

They likewise confirmed the Assessement of one hundred thousand pound per Moneth for six Moneths; the City now willingly advancing twenty seven thousand pounds upon its security, and beside some other lesse publick businesses, having impowered a Council of State to act during the interval, and issued Writs for the convening of a Parliament on the 25. of *April*, they on the sixteenth of *March* dissolved themselves, to the great joy of all the people of *England*, who were not only wearied with that Long Parliament, but likewise now freed from all pretences of the Rump (as it was called) to resist again and exercise their Tyrannies, which yet notwithstanding they had both endeavoured to continue during the last sitting of the secluded Members amongst them, by soliciting Petitions from the City for their not dissolving, endeavouring to juggle with the Officers of the Army; and when all would not prevail, by falsifying the lists of the Militia, and also afterwards by endeavouring to make a party to maintain their power, to which purpose *Lambert* (who had once been released and after imprisoned again in the Tower, for refusing to sign an Engagement to live peaceably) escaped out of the Tower, but was immediately followed with a Proclamation from the Council of State, proclaiming him and

The Civill Warres

1660.

his complices Traitors, and requiring all persons whatsoever to suppress him, and to that purpose Colonel *Rositer*, and Colonel *Ingoldsby* were sent out with sufficient strength of Horse, it being the fortune of the latter to have advice of his being near *Daventry* in *Northamptonshire* with a party of four Troops, to wit, Captain *Hastleriggs*, Captain *Clares*, Colonel *Alureds*, and Captain *Nethrops*, (which two last persons were in *London*, and not at all acquainted with the proceedings of their Troops) besides some Sectaries who were likewise joyned with him, *Ingoldsby* posting towards him, his Forlorn-Hope chanced to meet with Captain *Hastleriggs*, whom they apprehended, but he was let go again upon Parole given to send in his Troop, which accordingly he did under the command of his Cornet and Quarter-master. At length *Ingoldsby* facing *Lamberts* party, the Enemy finding himself too weak to fight, desired to treat, which being granted, he proposed the restoring *Richard Cromwell* to the Protectorship, which being looked upon as a foolery, they prepared to fight, but Colonel *Alureds* Troop deserting *Lambert*, he prepared to flee, hoping by the swiftnesse of his Horse to have escaped, but was overtaken by *Ingoldsby* himself, and being demanded to yield himself his prisoner, offered not so much as to draw his Sword, but only cried out, *Pray my Lord let me escape, Pray my Lord let me escape*. There were besides him taken Col. *Cobbet*, Major *Creed*, Lieutenant Col. *Young*, Captain *Clare*, Captain *Gregory*, and Captain *Spinage*, Col. *But*, Col. *Okey*, Col. *Axtel*, and Captain *Clere*, *Okeys* son in Law elapsed, though pursued four miles. The prisoners that were taken were on the 24 of *April*, the day before the sitting of the Parliament brought up to *London*, and passing by *Hide-Park* corner, when the Citizens in their bravery were mustering their whole Militia under their new and loyal Commanders, and being brought before the Council *Lambert*, *Cobbet* and *Creed* were committed close prisoners to the Tower, and the others to other places as the Council thought fit.

CHAP. CXI.

The Kings gracious Letters to the Parliament; their joyfull Reception; the King Proclaimed; arrives at London: the end of our miseries.

There was now after so long & dismal a darknesse some appearance of light, the Sun of Liberty beginning to dawn again upon this Nation by the restoration of Parliaments to their freedom and privileges, which had for so many years been denied them, and that sacred Name of Parliament been made a stale to the interests of ambitious self-minded men, who under the cloak and vail of that name had so long violated, nay overturned the Fundamental Laws of the Kingdom, and ruled, or rather tyrannized according to their own Arbitrary will, not permitting any to sit at the Helm of State but such as would be subservient to their designs, which by the Murder of one Prince and Exile of another, was to possess themselves absolutely of their Dominions, and haraſs their poor subjects at pleasure: But by the ever to be remembered care and industry of General *Monck*, a Parliament being now freely Elected by the People, and they as freely to vote without being over-awed by a Military force, as they had for so long a time been, it could not be expected but they would now restore the King to his Rights, the People to their Liberties, and establish the Nation again under that Monarchical Government, and in that Line which for so many hundred of years England had so happily flourished; the

first

of Great Britain and Ireland.

411

1660.

first confirmation of which hopes appeared on the first of May, when Sir John Greenville brought over his Majesties gracious Letters to the two Houses of Parliament: the one to the Lords, congratulating their return to the Exercise of their Trust, which he looked upon as a Proeme to his Reception, and the other to the Commons, who being the Representative of the people; and therefore as it were writ to them in general, we shall here insert;

CHARLES R.

TRusty and Well-beloved, wee greet you well: In these great and unsupportable afflictions and calamities under which the poor Nation hath been so long exercised, and by which it is so near exhausted; wee cannot think of a more natural and proper remedy, then to resort to those for Counsel and Advice who have seen and observed the first beginning of our Miseries, the progresse from bad to worse, and the mistakes and misunderstandings, which have produced and contributed to inconveniences, which were not intended; and after so many Revolutions and the Observation of what hath attended them, are now trusted by our good Subjects, to repair the breaches which are made, and to provide proper remedies for those evils, and for the lasting peace, happinesse and security of the Kingdom. We do assure you upon our Royall Word, that none of our Predecessors have had a greater esteem of Parliaments then we have in our judgement as well as from our obligation, we do believe them to be so vital a part of the Constitution of the Kingdom, and so necessary for the Government of it, that we will know neither Prince nor People can bee in any tollerable degree happy without them; and therefore you may be confident, that wee shall always look upon their Counsels, as the best we can receive, and shall be as tender of their Priviledges, and as carefull to preserve and protect them as of that which is most near to our self, and most necessary for our own Preservation: And as this is our opinion of Parliaments, that their Authority is most necessary for the Government of the Kingdom, so wee are most confident you believe, that the preservation of the Kings Authority is as necessary for the preservation of Parliaments: and that it is not the Name by the right Constitution of them which can prepare and apply proper remedies for those evils which are grievous to the People, and which can thereby establish their peace and security, and therefore we have not the least doubt, but that you will be as tender and as jealous of any thing that may infringe our Honor or impair our Authority as of your own Liberty and Property which is best preserved by preserving the other. How far we have trusted you in this affair, and how much it is in your power to restore the Nation to all that it hath lost, and to redeem it from an insamy it hath undergone, and to make King and People as happy as they ought to be; you will find by our inclosed Declaration, a Copy of which we have likewise sent to the House of Peers and you will easily believe that wee would not voluntarily, and of our self have imposed so great a trust in you, but upon an invire confidence that you will not abuse it, and that you will proceed in such a manner, and with such due consideration of us who have trusted you, that we shall not be ashamed of declining other assistance (which we have assurance of) and repairing to you for natural and proper remedies for the evils we would be freed from, nor sorry that we have bound up our own interest so intirely with that of our Subjects, as that we refer it to the same persons to take care of us who are trusted to provide for them; we look upon you as wise and dispassionate men and good Patriots, who will raise up those banks and fences which have been cast down, and who will most reasonably hope that the same pro-

Fff 2

Sperity

The Civill Warres

liberty will again spring from those Roots from which it hath heretofore and alwayes grown; nor can we apprehend that you will propose any thing to us, or expect any thing from us, but what we are as ready to give you as you are to receive: If you desire the advancement and propagation of the Protestant Religion, we have by our constant profession and practice of it given sufficient testimony to the world, that neither the unkindnesse of those of the same Faith towards us, nor the civilities and obligations from those of the contrary profession, of both which we have had abundant evidence, could in the least degree startle us, or make us swerve from it, and nothing can be proposed to manifest our zeal and affections for it, to which we will not readily consent, and we hope in due time our self to propose somewhat to you for the propagation of it, that will satisfie the world, that we have alwayes made it both our care and our study, and have enough observed what is most like to bring disadvantage to it. If you desire security for those who in those calamitous times, either wilfully or weakly have transgressed those bounds which were prescribed, and have invaded each others rights, we have left to you to provide for their security and indemnity, and in such a way as you shall think just and reasonable; and by a just computation of what men have done and suffered, as near as is possible, to take care that all men be satisfied, which is the surest way to suppress and extirpate all such uncharitablenesse and animosity, as might hereafter shake and threaten that peace, which for the present might seem established. If there be a crying sin for which the Nation may be involved in the infamy that attends it; we cannot doubt but that you will be as solicitous to redeem and vindicate the Nation from that guilt and infamy as we can be. If you desire that reverence and obedience may be paid to the Fundamental Laws of the Land, and that justice may be equally and impartially administred to all men, it is that which we desire to be sworn to our self, and that all persons in power and authority should be so too. In a word, there is nothing that you can propose that may make the Kingdom happy which we will not contend with you to compass: and upon this confidence and assurance we have thought fit to send you this Declaration, that you may as much as is possible at this distance see our heart, which when God shall bring us nearer together, as we hope he will do shortly, will appear to you very agreeable to what we have professed, and we hope that we have made that right christian use of our affliction, & that the observatiō & experience we have had in other Countreies hath been such, as that we, and we hope all our Subjects shall be the better for what we have seen and suffered. We shall add no more but our Prayers to Almighty God, that he will so bleſse your counsels, and direct your endeavours, that his Glory and Worship may be provided for, and the peace, honour and happinesse of the Nation may be established upon those foundations which can best support it, and so we bid you farewell. Given at our Court at Breda this 14 day of April, 1660. in the twelfth year of our Raign.

This Letter was subscribed, To Our Trusty and Well-beloved the Speaker of the Houses of Commons, and inclosed in it the Declaration following, for satisfaction of his Subjects in general.

CHARLES REX.

CHARLES by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith, &c. To all our loving Subjects of what degree or quality soever, greeting. If the general distraction and confusion which is spread over the whole Kingdom,

doth

of Great Britain and Ireland.

413

1660.

doth not awaken all men to a desire and longing that those wounds which have so many years together been kept bleeding, may be bound up, all we can say will be to no purpose: However after this long silence, we have thought it our duty to declare, how much we desire to contribute thereunto, & that as we can never give over the hope in due time to obtain the possession of that Right which God and Nature hath made our due, so we do make it our daily suit to the Divine Providence, that he will in compassion to us and our Subjects, after so long misery & sufferings, remit and put us into a quiet & peaceable possession of that our Right with as little blood and dammage to our people as is possible: Nor do we desire more to enjoy what is ours, then that all our Subjects may enjoy what by Law is theirs, by a full & intire administration of Justice throughout the Land, and by extending our mercy where it is wanted and deserved. And to the end that the fear of punishment may not engage any conscious to themselves of what is past, to a perseverance in guils for the future, by opposing the quiet & happiness of their Country, in the restoration both of King, Peers and people to their just, ancient and fundamental Rights, we do by these presents declare, That we do grant a free and general pardon, which we are ready upon demand to passe under our Great Seal of England, to all our subjects, of what degree or quality soever, who within forty days after the publishing hereof, shall lay hold upon this our grace and savour, & shall by any act declare their doing so, and that they return to the loyalty and obedience of good subjects, excepting only such persons as shall hereafter be excepted by Parliament: Those only excepted, let all our subjects, how faulty soever, rely upon the word of a King, solemnly given by this present Declaration, That no crime whatsoever committed against us or our Royal Father before the publication of this, shall ever rise in judgement or be brought in question against any of them, to the least endamagements of them either in their lives liberties, or Estates, or as far forth as lies in our power, so much as to the prejudice of their Reputations, by any reproach or term of distinction from the rest of our best Subjects, we desiring and ordaining that henceforward all notes of discord, separation and difference of parties, be utterly abolished among all our subjects, whom we invite & conjure to a perfect union among themselves, under our protection, for the restoration of our just Rights & theirs in a true Parliament, by which upon the word of a King we will be advised. And because the passion and uncharitableness of the times have produced several opinions in Religion, by which men are engaged in parties & animosities against each other, which when they shall hereafter unite in a freedom of conversation, will be comp'd or better understood, we do declare a liberty to tender consciences, & that no man shall be disturbed or called in question for differences of opinion in matter of Religion, which do not disturb the peace of the Kingdom, & that we shall be ready to consent to such an Act of Parliament as upon mature consideration shall be offered to us for the full granting of that Indulgence. And because in the continued distractions of so many years & so many and great Revolutions, many Grants and Purchases of Estates have been made to and by many Officers, Souldiers & others, who are now possessed of the same, & who may be liable to actions at Law upon several titles, we are likewise willing that all such differences, & all things relating to such grants, sales & purchases shal be determined in Parliament, which can best provide for the satisfaction of all men who are concerned, & we do further declare that we will be ready to consent to any act or acts of Parliament to the purposes aforesaid, & for the full satisfaction of arrears due to the Officers & Souldiers of the Army under the command of General Monck: & that they shal be received into our service upon as good pay and conditions as they now enjoy.

Given under Our Sign Manual and Privy Signet at Our Court at Breda this 14 day
of April, 1660. in the twelfth year of Our Reign.

Upon

1660.

Upon reading this Letter and Declaration in the House of Commons, it was unanimously resolved, that a Committee should be appointed to prepare an answer to his Majesties Letter; expressing the great and joyfull sense of that House, of his Majesties most gracious offers, together with their humble and hearty thanks to his Majesty for the same, and with professions of loyalty and duty to his Majesty, which being accordingly performed by the Committee appointed, Sir John Greenville, who brought over the Letters from the King, was called into the House of Commons, where at delivery of the answer, Sir Harbottle Grimstone spake to him to this effect.

Sir John Greenville, I need not tel you with what gratefull and thankfull hearts, the Commons now assembled in Parliament, have received his Majesties Gracious Letter; *Res ipsa loquitur*: You your self have been *Auricularis & oculatus testis de rei veritate*: our Bells and our Bonfires have already begun the proclamation of his Majesties goodness, and of our joyes. We have told the people, that our King, the glory of England, is comming home again; and they have resounded it back again in our ears, that they are ready, and their hearts are open to receive him: both Parliament and people have cryed aloud to the King of Kings, *Long live King CHARLES the second*. I am likewise to tell you, that the House doth not think fit that you should return to our Royal Sovereign, without some testimony of their respects to your self; they have therefore ordered and appointed that five hundred pounds shall be delivered unto you to buy a jewel, as a badge of that honour which is due to a person whom the King hath honoured to be the Messenger of so gracious a Message; and I am commanded, in the name of the House, to return you their hearty thanks.

The contents of the Answer which was returned to his Majesties Letter, are as followeth.

Most Royal SOVERAIGN,

We your Majesties most loyal Subjects, the Commons of England assembled in Parliament, do with all humbleness present unto your Majesty the unfeigned thankfulness of our hearts for those gracious expressions of piety and goodness and love to us, and the Nations under your Dominion, which your Majesties letter of $\frac{2}{14}$ of April, dated *in Breda*, together with the Declaration enclosed in it, of the same date, do so evidently contain: for which we do in the first place look up to the great King of Kings, and bleis his Name, who hath put these thoughts into the heart of our King, to make him glorious in the eyes of his people, as those great deliverances, which that Divine Majesty hath afforded unto your Royal person from many dangers, and the support which he hath given unto your Heroick and Princely minde under various tryals, make it appear to all the world, that you are precious in his sight. And give us leave to say, that as your Majesty is pleased to declare your confidence in Parliaments, your esteem of them, and this your judgement and character of them, *That they are so necessary for the Government of the Kingdom, that neither Prince nor people can be in any tolerable degree happy without them*; and therefore say, That you will hearken unto their counsels, be tender to their privilegedges, and carefull to preserve and protect them; so we trust and will wish all humility be bold to affirm, that your Majesty will not be deceived in us, and that we will never depart from that fidelity which we owe unto your Majesty, that zeal which we bear unto your service, and a constant endeavour to advance your Honour and Greatness. And we beseech your Majesty, we may add this further for the vindication of Parliaments, and even

of Great Britain and Ireland.

415

1660.

even of the last Parliament, convened under your Royal Father of happy memory, when (as your Majesty well observes) through mistakes and misunderstandings many inconveniences were produced, which were not intended. That those very inconveniences could not have been brought upon us by those persons who had designed them, without violating the Parliament it self; for they well knew it was not possible to do a violence to that Sacred Person, whilst the Parliament which had vowed and covenanted for the defence and safety of that Person, remained entire. Surely, Sir, as the persons of our Kings have ever been dear unto Parliaments, so we cannot think of that horrid act, committed against the precious life of our late Sovereign, but with such a detestation and abhorrence as we want words to express it; and next to wishing it had never been, we wish it may never be remembered by your Majesty, to be unto you an occasion of sorrow, as it will never be remembered by us; but with that grief and trouble of minde which it deserves, being the greatest reproach that ever was incurred by any of the *English* Nation, an offence to all the Protestant Churches abroad, and a scandal to the profession of the truth of Religion here at home; though both profession and true professors, and the Nation it self, as well as the Parliament, were most innocent of it; having been only the contrivance and act of some few ambitious and bloody persons, and such others as by their influence were misled; and as we hope and pray that God will not impute the guilt of it, nor of all the evil consequences thereof unto the Land, whose divine Justice never involves the guiltless with the guilty, so we cannot but give due praise unto your Majesty's goodness, who are pleased to entertain such reconciled and reconciling thoughts; and with them not only meet, but as it were, prevent your Parliament and people, proposing your self in a great measure, and inviting the Parliament to consider further, and advise your Majesty what may be necessary to restore the Nation to what it hath lost, raise up again the banks and fences of it, and make the Kingdom happy, by the advancement of Religion, the securing of our Lawes, liberties and estates, and the removing of all jealousies and animosities, which may render our peace less certain and durable; wherein your Majesty gives a large evidence of your great wisdom, judging aright, that after so high a distemper, and such a universal shaking of the very foundations; great care must be had to repair the breaches, and much circumspection and industry used, to provide things necessary for the strengthening of those repairs, and preventing whatsoever may disturb or weaken them. We shall immediately apply our selves to the preparing of these things, and in a very short time we hope to be able to present them to your Majesty; & for the present do with all humble thankfulness acknowledge your grace & favour, in assuring of us of your Royal concurrence with us, & saying, That we shall not expect any thing from you, but what you will be as ready to give as we to receive; & we cannot doubt of your Majesty's effectual performance. Since your owne Princely judgement hath prompted unto you the necessity of doing such things, and your piety and goodness hath carried you to a free tender of them to your faithfull Parliament. You speak as a gracious King, and we will do what befits dutifull, loving and loyal subjects, who are yet more engaged to honour and highly esteem your Majesty, for your declining, as you were pleased to say, all foreign assistance, and rather trust to your people, who we do assure your Majesty, will and do open their arms and their hearts to receive you, & will spare neither their estates, nor their lives, when your service shall require it of them. And we have yet more cause to enlarge our praise and our prayers to God for your Majesty, that you have continued

unshakenly

1660.

unshaken in your faith, that neither the temptation of allurements, persuasions and promises from seducing Popists on the one hand, nor the persecution and hard usage from some seduced and misguided professors of the Protestant Religion, on the other hand, could at all prevail on your Majesty, to make you forsake the Rock of Israel, the God of your Fathers; the true Protestant Religion, in which your Majesty hath been bred, but you have still been as a Rock your self, firm to your Covenant with your and our God, even now expressing your zeal and affection for the Protestant Religion, and your care and study for the propagation thereof. This hath been a rejoycing of heart to all the faithfull of the Land, and an assurance to them that God would not forsake you, but after many trials, which should but make you more precious, as gold out of the fire, to restore your Majesty unto your patrimony and people, with more splendor and dignity, and make you the glory of Kings, and the joy of your subjects, which is and shall ever be the prayer of your Majesties most loyal subjects the Comons of England assembled in Parliament.

This Lettre was signed by Sir Harbottle Grimstone Speaker, in the name and by order of the House of Commons; the whole Nation being overjoyed at his Majesties gracious Letters, and the Parliaments joyfull reception of them: Nor were the army wanting to expresse their content, by their Address to General Monck, which was likewise seconded by Sir Charles Coote, and the army in Ireland; so that all parties being satisfied, it was thought fit to give his Majesties subjects notice of their allegiance they ought to their Sovereign, by publishing the ensuing Proclamation.

Although it can no way be doubted, but that his Majesties Right and Title to his Crown and Kingdoms, is and was every way compleated by the death of his most Royal Father of glorious memory, without the ceremony or solemnity of a Proclamation; yet since Proclamations in such cases have been alwayes used, to the end that all good subjects might upon this occasion testify their duty and respect: And since the armed violence, and other the calamities of many years last past, hath hitherto deprived us of any such opportunity whereby we might expresse our loyalty and allegiance to his Majesty: We therefore the Lords and Comons now assembled in Parliament, together with the Lord Major, Aldermen, and Comons of the City of London, and other Free-men of this Kingdom now present, do according to our duty and allegiance, heartily, joyfully, and unanimously proclaim, That immediately upon decesse of our late Sovereign Lord King CHARLES, the Imperial Crown of the Realm of England, and of all the Kingdoms, Dominions and Rights belonging to the same, did by inherent Birth-right, and lawfull undoubted succession, descend and come to his most excellent Majesty CHARLES the Second, as being lineally, justly, and lawfully next Heir of the blood Royal of this Realm; and that by the goodnesse and providence of Almighty God, he is of England, Scotland, France and Ireland, the most potent, mighty, and undoubted KING, and thereunto we most humbly and faithfully do submit, and oblige our selves, our heirs and posterity for ever.

GOD SAVE THE KING.

In order to the proclaiming of this, the Lords on monday the 8. of May, met in the Painted chamber, where they continued till they were placed in order, the Earl of Manchester Speaker first, the Duke of Buckingham, &c. Thus they walked all along with the Heralds before them through the Court of Requests and Westminster-hall to the Palace, where

of Great Britain and Ireland,

417

where they staid before the Hall Gate, whither also presently after came the House of Commons: Being placed in order, both Lords and Commons stood bare, whilst Mr. *Bish* dictated, and Mr. *Riley* King at Armes, with a loud voice proclaimed first the forewritten Proclamation; which finished, the Lords and Commons took their coaches, and proceeded to the further proclaiming of it, in this manner. First went the Head Bailiffe of *Westminster*, with his servants riding with white staves to prepare the way; then followed a Troop of Officers of the army, and other Gentlemen; next the Generals life-guard, after them a clais of six Trumpets, then a Herald between the Serjeant of the Commons and the Mace of the Council; next Mr. *Riley* King at Arms, between Serjeant *Norfolk* and Serjeant *Middleton*; after whom came the Uther of the Black Rod, and Mr. *Bish* Herald together; then followed the Earl of *Manchester* Speaker of the House of Lords, Sir *Harbottle Grimstone* Speaker of the House of Commons, and next the Lord General *Monk*, in their several coaches and six horses, after whom followed the Lords and Commons in their coaches, a troop of horse bringing up the rear.

Thus they proclaimed his Majesty a second time before *White-hall*, and then advancing as far as *Arundel-houfe*, there they made a stand; whilst Mr. *Riley*, King at Armes, with a Herald and six Trumpets went to *Temple-Bar*, where the Trumpets sounding, he knockt at the gate (which was by agreement shut) and being demanded, who he was? returned answer: *That if the Lord Major came, he would give him an account.* Whereupon the Lord Major coming, it was again demanded, who he was? and what was his message? To which, answer was returned: *We are the Heralds at Armes, appointed and commanded by the Lords and Commons assembled in Parliament, to demand entrance into the famous City of London, to proclaim CHARLES the Second King of England, Scotland and Ireland.* To which was answered: *That if he would have a little patience, they would give an answer to his message.* And so after a little conference with the Aldermen, the gates were opened, and the Heralds and the rest of the company were received in: Along all the streets the Militia of *London* stood with their swords drawn on each side the way from *Temple-Bar* to the *Old-Exchange*, the City horse saling in after the life-guard, and so with this addition of solemnity, his Majesty was again proclaimed at *Chancery-lane* and *Cheapside*, and the *Old-Exchange*, with such shouts and expressions of joy in the people, and the night concluding the solemnity, with such bonefires, ringing of bells, and universal rejoycing, that the like was scarce ever seen: Nor was it less in other places of *England* then here. His Majesty being thus acknowledged and proclaimed King, the Lords and Commons, as also the City of *London*, thought fit to send Commissioners to invite him over to the exercise of his Kingly Office.

For the Lords were sent,

The Earl of <i>Oxford.</i>	Lord <i>Brook.</i>	Lord <i>Viscount Hereford.</i>
Earl of <i>Middlesex.</i>	Earl of <i>Warwick.</i>	Lord <i>Berkley.</i>

And Doctor *Charleton* their Physician.

For the House of Commons.

Lord <i>Fairfax.</i>	Lord <i>Herbert.</i>	Sir <i>George Booth.</i>
Lord <i>Bruce.</i>	Lord <i>Mandevil.</i>	<i>Denzil Hollis, Esq;</i>
Lord <i>Faulkland.</i>	Sir <i>Horatio Townsend.</i>	Sir <i>John Holland.</i>
Lord <i>Castleton.</i>	Sir <i>Anthony Ashley-Cooper.</i>	Sir <i>Henry Cholmley.</i>

And Mr. *Bowles* their Physician.

The Civill Warres

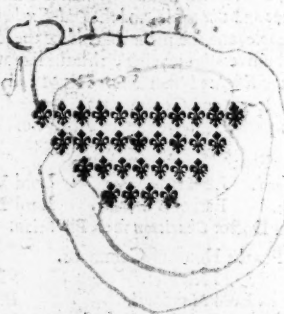
For the City of London.

Sir James Brunce, Baronet.	Theophilus Biddolph.	William Vincent.
Alderman Langham.	Alderman Frederick.	Thomas Bludworth.
Alderman Reynardson.	Alderman Adams.	William Bateman.
Alderman Brown.	Recorder Wilde.	John Lewis, Esq;
Sir Nicholas Crispe.	Alderman Robinson.	Mr. Chamberlain.
Alderman Tompson.	Alderman Bateman.	Colonel Bromfield.
Alderman Wale.	Richard Ford.	

These Commissioners presented to his Majesty from the two Houses of Parliament the sum of 50000. pounds, to the Duke of York 10000. pounds, and to the Duke of Gloucester 500. pounds. The City likewise, as a token of their respects to his Majesty, sent him 10000. pounds. The Commissioners having a fair wind, soon arrived at the Hague, where they had audience of his Majesty, and received a gracious answer, suitable to their desires, so that there wanted nothing but a fair wind to bring his Majesty over, during the want of which, he was feasted and presented with many rich presents by the States of Holland, and courted by the Agents of other forraign Princes. On the 25. of May he arrived at Dover, where he was received on shore by General Monck, whom he immediately created Knight of the Garter, by putting the George about him, whilst the Dukes of York and Gloucester put on his Garter: From hence they came towards London, accompanied all the way with gallant troops of Nobility and Gentry, the people flocking every where to see their Restorer, and on the 29. of May, (his Majesties Birth-day) when he entred into London, the people sensible of the end of their miseries, demonstrated such excesses of joy as are rather to be imagined then expressed.



FINIS



ent
lo-
ent
que,
their
ing
s of
he
ne-
the
on-
ple
lies
se-